

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**

THIRTY-FIRST DAY'S PROCEEDINGS

**Thirtieth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, May 25, 2004

The Senate was called to order at 1:30 o'clock P.M., by Hon. Donald E. Hines, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—38		

ABSENT

Marionneaux
Total—1

The President of the Senate announced there were 38 Senators present and a quorum.

Prayer

The prayer was offered by Rev. Jim Oddo, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Kostelka, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Privilege Report of the
Legislative Bureau**

May 25, 2004

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication. We advise and suggest the following amendments to the engrossed bills.

HOUSE BILL NO. 14—
BY REPRESENTATIVE BRUCE
AN ACT

To amend and reenact the heading of Chapter 5-L of Title 25 of the Louisiana Revised Statutes of 1950 and R.S. 25:380.91, 380.92(A) and (C)(2), 380.93(B)(5) and (C)(1), 380.94, 380.95(A), (B), and (C)(1), (2)(b)(iii), and (3), and 380.96 and R.S. 36:744(W) and 801.16(A)(1) and (2) and (C), relative to the Mansfield Women's College Museum in the Department of State; to change the name of the museum; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 24—
BY REPRESENTATIVES BRUNEAU AND HEATON
AN ACT

To enact R.S. 33:9091.7, relative to the Lakewood Crime Prevention and Improvement District; to create and provide with respect to such district, including provisions for the district and its board of commissioners and their powers, duties, functions, and responsibilities; to provide for imposition and collection of a parcel fee and for the use thereof; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 59—
BY REPRESENTATIVE BRUCE
AN ACT

To enact R.S. 25:215(B)(13), relative to the DeSoto Parish Library; to transfer the administration of and accounting functions for funds of the library from the DeSoto Parish Police Jury to the DeSoto Parish Library Board of Control; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 61—
BY REPRESENTATIVES SCALISE, CROWE, ALEXANDER BADON, BURNS, ERDEY, FAUCHEUX, FLAVIN, FRITH, GEYMAN, JOHNS, LABRUZZO, T. POWELL, SMILEY, JANE SMITH, JOHN SMITH, AND WALKER AND SENATORS CAIN, MICHOT, AND THEUNISSEN
A JOINT RESOLUTION

Proposing an amendment to the Constitution of Louisiana, to enact Article I, Section 27, relative to marriage; to provide for valid and recognized marriages; to provide for the legal incidents of marriage; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 61 by Representative Scalise

AMENDMENT NO. 1

In Senate Conforming Floor Amendment No. 2 proposed by the Senate and adopted by the Senate on May 20, 2004, on line 5, change "page 2" to "page 1"

HOUSE BILL NO. 96—

BY REPRESENTATIVE CRANE AND SENATOR ULLO
AN ACT

To enact R.S. 37:2950(D)(1)(a)(xiv), relative to professions and occupations; to add the State Board of Elementary and Secondary Education to the list of exempt agencies from the general prohibition against the state disqualifying an applicant for employment or for a license, permit, or certificate for an occupation, trade, or profession solely based upon a prior criminal record; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 105—

BY REPRESENTATIVE SALTER
AN ACT

To amend and reenact R.S. 56:325(A)(11), relative to the taking of channel catfish; to provide relative to recreational possession limits for channel catfish caught in Toledo Bend Reservoir; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 142—

BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact R.S. 32:217(B), relative to pedestrians' rights and duties on public streets or highways; to provide that traffic shall yield to a person who requires a wheelchair for transportation and who is crossing a street; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 173—

BY REPRESENTATIVE CRANE AND SENATOR ULLO
AN ACT

To amend and reenact R.S. 17:421.9(B), 421.10(B), and 421.11(B), relative to school employees; to provide relative to salary supplements for certain school employees who have acquired certain credentials; to provide conditions and guidelines for receiving the supplement; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 181—

BY REPRESENTATIVE GARY SMITH
AN ACT

To amend and reenact R.S. 33:1448(G) and to enact R.S. 33:1448(O), relative to group insurance premiums; to provide for the payment of insurance premiums for certain retired sheriffs and deputy sheriffs in St. Charles Parish; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 193—

BY REPRESENTATIVE SALTER
AN ACT

To amend and reenact R.S. 38:2238.2(A)(2)(a), relative to procurement of used fire and emergency response vehicles and equipment by local political subdivisions; to provide with respect to the public notice of the request for proposals; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 212—

BY REPRESENTATIVE BOWLER
AN ACT

To enact R.S. 33:2561.1, relative to fire and police civil service; to provide with respect to small municipalities, parishes, and fire protection districts; to authorize the fire and police civil service board to award attorney fees to an appealing employee under certain circumstances; to provide for a maximum award; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 213—

BY REPRESENTATIVE CRANE AND SENATOR ULLO
AN ACT

To amend and reenact R.S. 17:1954(A)(introductory paragraph) and (C)(1), (3), (4), and (5), relative to a special education advisory panel; to specify that the panel shall be appointed by the State Board of Elementary and Secondary Education; to specify that the panel shall advise the State Board of Elementary and Secondary Education in certain matters; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 234—

BY REPRESENTATIVES BRUNEAU AND HEATON
AN ACT

To amend and reenact R.S. 33:9075(B), (D)(1)(a) and (c), and (F)(1)(a), (b), and (d), relative to the Lake Oaks Subdivision Improvement District; to provide for district boundaries the membership of the board of commissioners, the vote of district electors necessary to levy a parcel fee, the maximum amount, the duration, and renewal of such fee, and elections for fee approval and renewal; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 235—

BY REPRESENTATIVE BRUNEAU
AN ACT

To enact R.S. 33:9091.7, relative to the Lakeshore Crime Prevention District; to create and provide with respect to such district, including provisions for the district and its board of commissioners and their powers, duties, functions, and responsibilities; to provide for imposition and collection of a parcel fee and for the use thereof; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 257—

BY REPRESENTATIVE CRANE

AN ACT

To amend and reenact R.S. 17:3022(A)(1)(introductory paragraph) and 3093(B)(2), relative to the membership of the Louisiana Student Financial Assistance Commission; to increase the membership of the Louisiana Student Financial Assistance Commission; to provide relative to commission members serving on the Louisiana Tuition Trust Authority; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 283—

BY REPRESENTATIVES WINSTON, R. CARTER, MCVEA, T. POWELL, AND STRAIN

AN ACT

To amend and reenact R.S. 33:4574.1-A(A)(1)(dd), relative to the Tangipahoa Parish Tourist and Film Commission; to increase the maximum rate of hotel occupancy tax which the commission is authorized to levy; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 285—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 32:1720.1, relative to towing and storage of motor vehicles; to provide relative to stored motor vehicles; to remove certain requirements applicable to surrender of such vehicles to a secured party; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 302—

BY REPRESENTATIVE GARY SMITH

AN ACT

To amend and reenact R.S. 17:10.4(A) and (D)(2), relative to the distinguished educators program; to establish a deadline for the selection of distinguished educators from among active employees of city, parish, and other local public school boards; to require certain notice to a city, parish, or other local public school board whenever an active employee of the school board is selected; to limit in any year in which selections are made the number of persons serving as distinguished educators who are from any one city, parish, or other local public school board; to provide relative to the applicability of such limitation; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 384—

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 32:80(B), relative to school buses; to provide relative to the use of visual stop-indicator signals on school buses; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 395—

BY REPRESENTATIVES ALARIO, ANSARDI, BOWLER, DAMICO, MARTINY, SHEPHERD, TOOMY, TUCKER, AND WOOTON AND SENATORS BOISSIERE, HAINKEL, HOLLIS, LENTINI, AND ULLO

AN ACT

To authorize and provide for the exchange and transfer of certain state property situated in Jefferson Parish between the Department of Culture, Recreation and Tourism and the Jefferson Parish Council; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 396—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 33:4096(B)(2), (D), and (E) and 4121(B)(2), (D), and (E), relative to the New Orleans Sewerage and Water Board; to provide with respect to certain limitations on issuing water and sewerage revenue bonds; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 450—

BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S. 56:424(E)(2) and 433(J), relative to taking oysters; to require the use of a vessel monitoring system by a person convicted of violations of the laws governing the taking of oysters; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 494—

BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S. 3:4631(E), 40:5.3(E) and (F), and 56:449(A) and (C), relative to the National Shellfish Sanitation Program; to remove from the statutes references to the standards as adopted by the program; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 556—

BY REPRESENTATIVES CRANE AND DORSEY

AN ACT

To amend and reenact Section 1(B) of Act No. 991 of the 1999 Regular Session of the Legislature, relative to the authority granted to the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to impose specified increases in tuition amounts at the university laboratory school; to remove exceptions relative to the payment of certain authorized amount increases provided for certain families based on gross annual household income; to provide for the applicability of exceptions previously authorized by law; to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 565—

BY REPRESENTATIVE FARRAR (BY REQUEST)
AN ACT

To amend and reenact R.S. 17:87.8(A)(introductory paragraph), relative to procedures for renting or leasing of sixteenth section school lands by local school boards for hunting or trapping purposes; to remove Rapides Parish from the list of parishes excepted from such provisions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 566—

BY REPRESENTATIVE FARRAR (BY REQUEST)
AN ACT

To enact R.S. 41:900, relative to the exchange of unused school land; to authorize the Rapides Parish School Board to exchange unused school land, including but not limited to sixteenth section land; to provide procedures, terms, and conditions, including advertisement, appraisals, and public hearing for such exchange; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 570—

BY REPRESENTATIVE GARY SMITH
AN ACT

To amend and reenact R.S. 17:270(A) and 271(A)(2) and R.S. 32:402.1(A)(introductory paragraph) and (1) and (2)(introductory paragraph), 402.2, 407(A)(2)(a), and 408(A)(1), relative to driver education, training, and testing; to require instruction relative to sharing the road with motorcycles and tractor/trailer trucks during driver education, training, improvement, and remediation programs; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 606—

BY REPRESENTATIVES JACK SMITH, PIERRE, AND THOMPSON
AND SENATORS B. GAUTREAUX AND MALONE
AN ACT

To amend and reenact R.S. 56:649.3(A) and 650(A)(2), relative to lifetime hunting and fishing licenses; to provide for a senior lifetime hunting and fishing license; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 620—

BY REPRESENTATIVE PIERRE
AN ACT

To enact R.S. 49:213.10(C), relative to venue; to provide for proper venue for certain actions where the state is a party; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 626—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To enact R.S. 32:666(C), relative to refusal to submit to chemical tests; to provide with respect to law enforcement officers who are appointed as ex officio notaries public; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 635—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 48:461.4(b)(3) and (4) and 461.26(B), relative to outdoor advertising; to provide relative to outdoor advertising along designated state parkways; to provide measurement requirements for placement of off-premise outdoor advertising signs along designated state parkways; to provide that certain signs shall not be placed in a stacked configuration; to provide relative to the maximum height of certain outdoor advertising signs; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 649—

BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 36:354(E)(2), relative to powers and duties of the secretary of the Department of Natural Resources; to authorize the training and certification of home energy raters by the office of the secretary; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 650—

BY REPRESENTATIVE PIERRE
AN ACT

To repeal R.S. 49:954.2, to repeal the provisions of the Unified Oil and Gas Development Regulatory Index; and to provide relative to validity of certain actions.

Reported without amendments.

HOUSE BILL NO. 652—

BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 30:86(E)(2), relative to the Oilfield Site Restoration Fund; to provide relative to the amount of the fund that can be used by the Department of Natural Resources for administration; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 653—

BY REPRESENTATIVE PIERRE
AN ACT

To enact R.S. 56:424(H), relative to taking of oysters; to authorize the Department of Natural Resources to sample oyster leases for matters related to coastal restoration; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 654—

BY REPRESENTATIVES PIERRE AND DANIEL
AN ACT

To amend and reenact R.S. 30:706, relative to fees paid for the hazardous liquid pipeline program; to provide for review and revision of the annual inspection fee; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 655—

BY REPRESENTATIVES PIERRE AND DANIEL
AN ACT

To amend and reenact R.S. 30:560, relative to natural gas distribution; to provide relative to pipeline safety inspection fees; to provide relative to the amounts and imposition of such fees; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 656—

BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 30:503(12) and to enact R.S. 30:503(13) and (14), relative to the regulation of natural gas distribution; to define certain distribution systems; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 669—

BY REPRESENTATIVES PIERRE AND DANIEL
AN ACT

To amend and reenact R.S. 30:93, relative to oilfield site restoration; to provide relative to sites eligible for restoration; to provide relative to recovery of restoration costs; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 672—

BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 47:820.5.3(C), relative to the Crescent City Connection Oversight Authority; to provide relative to membership thereon; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 693—

BY REPRESENTATIVES DAMICO, ANSARDI, MARTINY, TOOMY, TUCKER, AND WOOTON AND SENATORS BOISSIERE, HAINKEL, HEITMEIER, HOLLIS, LENTINI, AND ULLO
AN ACT

To amend and reenact R.S. 33:9129 and to enact R.S. 33:9108(D), relative to communication districts; to provide with respect to the Jefferson Parish Communication District; to authorize the Jefferson Parish Council to adopt, by ordinance or resolution, provisions of the general law relating to communication districts for the use, benefit, operation, and enhancement of the Jefferson Parish Communication District; to make certain provisions of general law applicable to the parish, the council, and the district; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 700—

BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 23:1378(B), relative to the Second Injury Fund; to provide for clarification of the prescriptive period for filing notice; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 790—

BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 23:1378(E), relative to the second injury fund; to provide for venue of Second Injury Board appeals; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 820—

BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 23:1294(A)(2)(introductory paragraph) and (3) and to enact R.S. 23:1294(A)(2)(i), relative to workers' compensation; to provide for the chairman of the Workers' Compensation Advisory Council; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 823—

BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 23:1034.2(F) as amended by Act 454 of the 1989 Regular Session, and to repeal R.S. 23:1034.2(F) as amended by Act 25 of the 1989 Regular Session relative to payment for workers' compensation medical benefits; to provide for medical benefits; to provide with respect to reimbursement schedule; to provide for consolidation; to provide for venue; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 825—

BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 23:1378(A)(8)(b), relative to the second injury fund; to provide for the submission of requests for settlement approval; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 833—

BY REPRESENTATIVE HUNTER
AN ACT

To repeal R.S. 23:1601(10)(b), relative to unemployment compensation; to remove the provision which requires a fifty percent discount in unemployment benefits after an individual requalifies for benefits subsequent to a disqualification for the use of illegal drugs.

Reported without amendments.

HOUSE BILL NO. 868—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 47:510(A), relative to vehicle registration; to provide relative to the requirement that vehicle manufacturers and dealers give notice regarding vehicle transfers; to provide relative to certain exemptions; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 868 by Representative Montgomery

AMENDMENT NO. 1

In Senate Committee Amendment No. 1 proposed by the Senate Committee on Transportation and adopted by the Senate on May 24, 2004, on line 2, delete "insert a period ".""

HOUSE BILL NO. 908—
BY REPRESENTATIVE HUNTER
AN ACT

To repeal R.S. 23:1131, relative to wage records; to repeal provision allowing for the release of earnings records and information of workers' compensation claimants.

Reported without amendments.

HOUSE BILL NO. 916—
BY REPRESENTATIVES CAZAYOUX, BAYLOR, GLOVER, AND JACKSON
AN ACT

To enact R.S. 33:2186, relative to the rights of fire employees; to provide relative to investigations of fire employees; to provide for rights to attend hearings; to provide for time limitations on completing an investigation; to provide for extensions of time; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 970—
BY REPRESENTATIVE ALARIO
AN ACT

To amend and reenact R.S. 47:1908(A)(26) and (C), to increase the expense allowance of the assessor of Jefferson Parish; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1037—
BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 23:1127(C)(1), 1226(B)(3)(c) and (E), 1310.3(B)(1) and (C), 1310.4(B), 1316.1(C), and 1317(B), relative to workers' compensation hearings procedures; to provide for a reduction in weekly compensation; to provide for mediation procedures; to provide for service of process; to provide for venue; to provide for default judgments; to provide for expert witness fees; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1096—
BY REPRESENTATIVES TOOMY AND DOVE
AN ACT

To amend and reenact R.S. 33:1981(A) and to enact R.S. 33:1981(C)(3), relative to benefits payable to firemen killed in the line of duty; to provide for firefighting activities included within the scope and performance of official duties as a fireman; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1109—
BY REPRESENTATIVE T. POWELL
AN ACT

To enact R.S. 33:3892.1, relative to sewerage districts; to provide relative to the powers granted to certain parish sewerage districts; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1178—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 25:1251(2), 1252(A), and 1253(A)(1)(introductory paragraph) and (a), (l), (m), (n), (o), (p), (q) and (3) and to enact R.S. 25:1253(A)(1)(r), relative to the Mississippi River Road Commission; to provide for geographical boundaries; to provide for membership; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1184—
BY REPRESENTATIVES CAZAYOUX, BAYLOR, GLOVER, AND JACKSON
AN ACT

To amend and reenact R.S. 33:2477(4) and (5) and 2537(4) and (5), relative to municipal fire and police civil service; to provide for the length of time within which municipal fire and police civil service boards shall conduct certain investigations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1227—
BY REPRESENTATIVE HILL
AN ACT

To enact R.S. 47:1903.4, relative to the imposition of fees to derive funds for the operation and maintenance of the office of the assessor for the parish of Allen; to authorize the assessor of Allen Parish to impose a conveyance fee; to provide for the collection of the fee; to provide for the use of the monies collected; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1266—
BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 49:214.30(C)(2)(a) and 214.42(C) and (D), relative to coastal management; to provide relative to notification of multiple landowners of proposed activities under

a coastal use permit; to provide for use of the funds in the Coastal Mitigation Account; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1302—

BY REPRESENTATIVES MURRAY, JEFFERSON, AND MARCHAND
AN ACT

To enact Chapter 13-D of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4720.51 through 4720.71, and to repeal Act No. 170 of the 1968 Regular Session, as amended, and to repeal all Acts amending such Act including Act No. 299 of the 1972 Regular Session, Act Nos. 571 and 572 of the 1980 Regular Session, Act No. 155 of the 1984 Regular Session, Act Nos. 65 and 135 of the 1994 Third Extraordinary Session, Act Nos. 30 and 375 of the 1995 Regular Session, Act No. 101 of the 1997 Regular Session, and Act Nos. 266 and 968 of the 2003 Regular Session, relative to the city of New Orleans; to codify the provisions of the New Orleans Community Improvement Act; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1302 by Representative Murray

AMENDMENT NO. 1

On page 2, line 3, following "There" and before "in" change "exists" to "exist"

AMENDMENT NO. 2

On page 14, line 4, at the beginning of the line, change "D.(1)" to "D."

HOUSE BILL NO. 1338—

BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 56:700.12(4) and (5) and 700.13(C) and to enact R.S. 56:700.13(F), relative to the Oyster Lease Damage Evaluation Board; to provide for biological surveys of oyster leases; to authorize such surveys to be conducted by the board; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1369—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 23:76(A), (B), (C)(1), (4), (5), and (6) and to enact R.S. 23:76(C)(2)(g) and (h), relative to occupational forecasting; to provide for Occupational Forecasting Conference; to provide for information on occupational projections; to provide for additional principals to the conference; to provide for evaluation of labor market data; to provide for voting approval; to provide for a final report; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1461—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 32:389(D)(2), relative to weights and standards stationary scale police; to provide relative to appointment of the panel that reviews citations issued by weights and standards stationary scale police officers; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1474—

BY REPRESENTATIVES DOVE AND BALDONE
AN ACT

To amend and reenact R.S. 17:3351(A)(5)(b)(iii), to provide relative to tuition and mandatory attendance fee amounts established by the Board of Supervisors of Community and Technical Colleges and applicable to students enrolled in certain technical community colleges under the board's supervision and management; to provide limitations; to require certain reports; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1540—

BY REPRESENTATIVES KENNEY AND THOMPSON
AN ACT

To name the new Ouachita River bridge at Columbia the Governor John J. McKeithen Bridge; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1550—

BY REPRESENTATIVE HEATON
AN ACT

To enact R.S. 32:403.5, relative to drivers' licenses; to provide for the issuance of drivers' licenses to persons using bioptic telescopic lenses; to provide conditions and limitations for licensing; to provide driving restrictions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1564—

BY REPRESENTATIVE SALTER
AN ACT

To authorize the transfer and sale of certain immovable improvements owned by the state and located on property in Red River Parish; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1698 (Substitute for House Bill No. 847 by Representative Hunter)—

BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 23:1378(A)(1), (2), (3), and (7), relative to the Second Injury Fund; to revise reimbursement provisions; to provide for prescriptive periods; to revise reserves on approved claims; and to provide for related matters.

Reported without amendments.

Respectfully submitted,

ARTHUR J. "ART" LENTINI
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Lentini, the Legislative Bureau amendments were adopted and the Bills and Joint Resolutions were read by title and passed to a third reading.

Introduction of Resolutions, Senate and Concurrent

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 95—

BY SENATORS HOLDEN, DARDENNE, FIELDS, FONTENOT, MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BOISSIERE, CAIN, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, B. GAUTREAUX, N. GAUTREAUX, HAINKEL, HEITMEIER, HINES, HOLLIS, IRONS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN, ANDULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of Lieutenant Vickie Wax of the Baton Rouge Police Department, and to honor her numerous contributions to the Baton Rouge community which she dutifully served and protected.

On motion of Senator Holden, the resolution was read by title and adopted.

SENATE CONCURRENT RESOLUTION NO. 128—

BY SENATORS HINES AND ELLINGTON AND REPRESENTATIVE WALKER

A CONCURRENT RESOLUTION

To commend the Tunica-Biloxi Tribe of Louisiana for its many contributions to the state, its history and culture, and its people and proclaims May 25, 2004, as "Tunica-Biloxi Day".

The resolution was read by title. Senators Hines and Ellington moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Amedee	Fontenot	Mount
Barham	Gautreaux, B	Nevers
Boasso	Gautreaux, N	Romero
Cain	Hainkel	Schedler
Chaisson	Holden	Smith
Cravins	Hollis	Theunissen
Dardenne	Kostelka	Ullo
Duplessis	Malone	
Dupre	McPherson	
Total—28		

NAYS

Total—0

ABSENT

Adley	Fields	Jones
Bajoie	Heitmeier	Lentini
Boissiere	Irons	Marionneaux
Cheek	Jackson	
Total—11		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 129—

BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To commend and congratulate Judge Oliver S. Delery, Sr. on the occasion of his 80th birthday.

The resolution was read by title. Senator Hainkel moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Amedee	Fontenot	Michot
Barham	Gautreaux, B	Mount
Boasso	Gautreaux, N	Nevers
Cain	Hainkel	Romero
Chaisson	Holden	Schedler
Cravins	Hollis	Smith
Dardenne	Jackson	Theunissen
Duplessis	Kostelka	Ullo
Dupre	Malone	
Total—29		

NAYS

Total—0

ABSENT

Adley	Fields	Lentini
Bajoie	Heitmeier	Marionneaux
Boissiere	Irons	
Cheek	Jones	
Total—10		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

May 25, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 429—

BY REPRESENTATIVE DOVE

AN ACT

To enact R.S. 49:214.7, relative to the coastal restoration and preservation program; to establish a program for barrier islands and shorelines stabilization and preservation; and to provide for related matters.

HOUSE BILL NO. 1481—

BY REPRESENTATIVES MARTINY AND ANSARDI

AN ACT

To amend and reenact Code of Criminal Procedure Article 336(A)(2) and (3) and to enact Code of Criminal Procedure Article 336(A)(4), relative to release conditioned on participation in pretrial drug testing program; to provide that every person arrested for a felony offense not otherwise required to submit to a pretrial drug test may be required to submit to a pretrial drug test; and to provide for related matters.

**HOUSE BILL NO. 1708 (Substitute for House Bill No. 320
by Representative Pinac)—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 34:1073, 1076, 1121, 1122(A)(1) and (2), (C)(1), and (D)(1) and (2), 1124 and 1125, to enact Part VI of Chapter 6 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:1129 through 1136, and to repeal R.S. 34:962, 966, 991.1, 1001, 1049, 1055, and 1076.1, relative to river pilots; to provide relative to the Associated Branch Pilots for the Port of Lake Charles; to provide a lien and privilege for nonpayment of pilotage fees; to create a single Pilotage Fee Commission; to provide for appointment and membership; to provide for resolution of disputes; to provide for rulemaking authority; to create the Board of Louisiana River Pilots Review and Oversight; to provide for appointment and membership; to provide for duties and responsibilities; to provide for resolution of complaints; to provide for oversight; to provide for funding; to provide for liability; to provide for judicial review; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

**House Bills and Joint Resolutions
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 429—

BY REPRESENTATIVE DOVE

AN ACT

To enact R.S. 49:214.7, relative to the coastal restoration and preservation program; to establish a program for barrier islands and shorelines stabilization and preservation; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1481—

BY REPRESENTATIVES MARTINY AND ANSARDI

AN ACT

To amend and reenact Code of Criminal Procedure Article 336(A)(2) and (3) and to enact Code of Criminal Procedure Article 336(A)(4), relative to release conditioned on participation in pretrial drug testing program; to provide that every person arrested for a felony offense not otherwise required to submit to a pretrial drug test may be required to submit to a pretrial drug test; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1708 (Substitute for House Bill No. 320
by Representative Pinac)—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 34:1073, 1076, 1121, 1122(A)(1) and (2), (C)(1), and (D)(1) and (2), 1124 and 1125, to enact Part VI of Chapter 6 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:1129 through 1136, and to repeal R.S. 34:962, 966, 991.1, 1001, 1049, 1055, and 1076.1, relative to river pilots; to provide relative to the Associated Branch Pilots for the Port of Lake Charles; to provide a lien and privilege for nonpayment of pilotage fees; to create a single Pilotage Fee Commission; to provide for appointment and membership; to provide for resolution of disputes; to provide for rulemaking authority; to create the Board of Louisiana River Pilots Review and Oversight; to provide for appointment and membership; to provide for duties and responsibilities; to provide for resolution of complaints; to provide for oversight; to provide for funding; to provide for liability; to provide for judicial review; and to provide for related matters.

The bill was read by title; lies over under the rules.

**House Bills and Joint Resolutions
on Second Reading to be Referred**

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

HOUSE BILL NO. 385—

BY REPRESENTATIVE TOWNSEND

AN ACT

To enact R.S. 17:425.2, relative to payment for unused sick and annual leave of certain unclassified postsecondary education employees who continue in employment after becoming eligible

for retirement; to provide for definitions; to provide for applicability; to provide conditions and limitations; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 444—

BY REPRESENTATIVE FAUCHEUX (BY REQUEST)
AN ACT

To enact Civil Code Article 32, relative to persons; to provide for the definition of minority; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 778—

BY REPRESENTATIVE TOWNSEND
A JOINT RESOLUTION

Proposing to amend Article VII, Section 4(C) of the Constitution of Louisiana, to prohibit the taxation of gasoline, motor fuel, diesel fuel, or other special fuels by a political subdivision of the state; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 918—

BY REPRESENTATIVE BALDONE
AN ACT

To enact Code of Criminal Procedure Article 336.2, relative to operating a vehicle while intoxicated; to require an ignition interlock device as a condition of release on bail for certain persons arrested for certain alcohol-related driving offenses; to provide for procedures; to provide for waiver of this requirement by courts in certain circumstances; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 956—

BY REPRESENTATIVES DURAND AND DORSEY
AN ACT

To enact Chapter 16 of Title VII of the Children's Code, to be comprised of Articles 792 through 792.3, to authorize the creation of an early intervention pilot program for at-risk children and their families in certain parishes; to provide for program purposes; to provide for collaboration among district attorneys, local school boards, law enforcement agencies, and community service organizations in the development and implementation of such program; to provide relative to program funding, reporting, and termination; to provide relative to the Sixteenth Judicial District Attorney Early Intervention Fund; to provide for monies to be deposited in such fund; to provide for effectiveness; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Health and Welfare.

HOUSE BILL NO. 975—

BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 38:2874, relative to the Claiborne Parish Watershed District; to authorize the Wildlife and Fisheries Commission to regulate the commercial and recreational use of nets and traps on Lake Claiborne; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 1183—

BY REPRESENTATIVE ERDEY
AN ACT

To amend and reenact R.S. 22:636(D), relative to cancellation of policies; to provide for unearned premiums; to provide for commission; to provide for payments; to provide for notice; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 1261—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 51:2386, 2387, 2388, 2389(E)(1)(c) and (F)(1), 2391, 2392, 2393, 2394, 2395(A), (B)(2)(a), (D), and (F)(3), 2396(D)(6), (F), and (G)(1)(d), and 2397(A)(1)(b) and (2), (D), (E), and (G)(2)(a), relative to the Louisiana Business and Industrial Corporation Act; to provide for participation of Louisiana limited liability companies; to provide for certain additional licensing requirements; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

HOUSE BILL NO. 1290—

BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 37:930(G), relative to certified registered nurse anesthetists; to provide for administering anesthetic; and to provide for related matters.

On motion of Senator Bajoie, the bill, which is a duplicate of Senate Bill No. 607, was read by title and lies over under the rules.

HOUSE BILL NO. 1391—

BY REPRESENTATIVE THOMPSON
AN ACT

To enact R.S. 40:2006.1, relative to Medicare surveys; to provide for a fee for an initial Medicare survey under certain circumstances; to provide for a fee for an application for an initial state licensure survey under certain circumstances; to provide for definitions; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Health and Welfare.

HOUSE BILL NO. 1427—

BY REPRESENTATIVE WRIGHT
AN ACT

To amend and reenact R.S. 17:6(A)(11), relative to the general powers of the State Board of Elementary and Secondary Education; to require the board to adopt rules and regulations to provide that certain public high school students who choose to pursue an alternate curriculum approved by the board shall be issued a vocational diploma; to provide that such rules and regulations shall include certain requirements; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Education.

HOUSE BILL NO. 1434—

BY REPRESENTATIVE DAMICO
AN ACT

To enact R.S. 17:60, relative to city, parish, and other local public school board members; to provide that any city, parish, or other local public school board member who qualifies for any elective office shall not be required to vacate his school board office or resign from the school board; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 1468—

BY REPRESENTATIVE TOWNSEND
AN ACT

To enact Part VI-F of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:250.51 through 250.62, relative to health insurance; to provide relative to prompt payment of health insurance claims submitted by pharmacies or pharmacists; to provide with respect to usage of nationally recognized benchmarks to calculate the reimbursement to be paid to pharmacies or pharmacists by health insurance issuers; to provide for definitions; to provide with respect to violations, cease and desist orders, and penalties; to provide for coordination of benefits; to provide for recoupment; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 1527—

BY REPRESENTATIVES ST. GERMAIN AND LAMBERT AND
SENATOR AMEDEE
AN ACT

To amend and reenact Children's Code Articles 791.1, 791.4, and 791.5, relative to juveniles; to authorize all judicial districts to create truancy and assessment and service centers; to provide with respect to monitoring and evaluation; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 1569—

BY REPRESENTATIVE JACK SMITH
AN ACT

To enact R.S. 22:249, relative to health care access for the low-income uninsured; to authorize the establishment of community-based health care access programs; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Health and Welfare.

HOUSE BILL NO. 1574—

BY REPRESENTATIVE FLAVIN
AN ACT

To enact R.S. 22:635.4, relative to homeowners insurance; to provide for conversion of policy forms; to provide for approval by the commissioner; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 1604—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To enact R.S. 32:662.1, relative to evidence; to provide for the admissibility of certificates and writings made in accordance with provisions of law governing chemical testing of suspected drunken drivers; to provide with respect to prima facie proof; to require that notice be given to opposing parties; to provide for the opportunity to cross-examine experts; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

**House Concurrent Resolutions
on Second Reading**

The following House Concurrent Resolutions were read and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 139—

BY REPRESENTATIVE BURNS
A CONCURRENT RESOLUTION

To urge and request the Marriage Persons Committee of the Louisiana State Law Institute to study Louisiana's child custody and visitation laws and make specific recommendations on or before January 15, 2006, for revisions to state law.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Judiciary A.

HOUSE CONCURRENT RESOLUTION NO. 209—

BY REPRESENTATIVE FLAVIN
A CONCURRENT RESOLUTION

To commend Colleen Benoit of Lake Charles upon her selection as Calcasieu Parish Elementary School Teacher of the Year and to recognize her outstanding contributions to the education of the youth of Louisiana.

The resolution was read by title. Senator Theunissen moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	McPherson
Amedee	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boasso	Hainkel	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Lentini	Ullo
Dupre	Malone	
Total—29		

NAYS

Total—0

ABSENT

Adley	Ellington	Kostelka
Bajoie	Fields	Marionneaux
Boissiere	Heitmeier	
Cain	Jones	
Total—10		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 210—
BY REPRESENTATIVES BRUCE AND SALTER AND SENATOR CHEEK

A CONCURRENT RESOLUTION

To commend *The Enterprise* of DeSoto Parish upon the celebration of its centennial anniversary.

The resolution was read by title. Senator Smith moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	McPherson
Amedee	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boasso	Hainkel	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Lentini	Ullo
Dupre	Malone	
Total—29		

NAYS

Total—0

ABSENT

Adley	Ellington	Kostelka
Bajoie	Fields	Marionneaux
Boissiere	Heitmeier	
Cain	Jones	
Total—10		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

JUDICIARY B

Senator Marionneaux, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

May 25, 2004

To the President and Members of the Senate:

I am directed by your Committee on Judiciary B to submit the following report:

SENATE CONCURRENT RESOLUTION NO. 106—
BY SENATOR LENTINI AND REPRESENTATIVE MARTINY
A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to extend and expand the pilot program for home incarceration and electronic monitoring that was established by Act No. 1139 of the 2001 Regular Session.

Reported with amendments.

SENATE BILL NO. 490—
BY SENATOR CRAVINS
AN ACT

To amend and reenact R.S. 15:150(C)(1) and (F)(1) and to enact R.S. 15:150(B)(3), relative to regional defense service centers; to provide that a regional defense service center shall include a regional juvenile defense center; to grant a regional defense service center authority to contract for representation of juveniles in all courts having juvenile jurisdiction; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 196—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 27:306(A)(5)(b) and to repeal R.S. 27:306(A)(5)(d), relative to the Video Draw Poker Devices Control Law; to authorize the leasing or subleasing of fuel facilities at qualified truck stop facilities; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 263—

BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 27:30.3 and 30.4, relative to illegal gaming activities; to create the crime of using or manufacturing slugs or counterfeit chips or tokens; to create the crime of the manufacture, sale, or distribution of gaming materials intended for illegal use; to provide for penalties; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 356—

BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 14:90.5, relative to offenses affecting general morality; to create the crime of unlawful play of certain gaming devices by persons under the age of twenty-one; to provide for definitions; to provide for penalties; to provide for detention for questioning; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 358—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 27:28(B)(3) and (J) and to enact R.S. 27:28(K), relative to suitability standards for gaming licenses, permits, or contracts; to remove disqualification based on current status of returns or payment of federal taxes; to provide for the consideration of the current status in filing applicable tax returns and the payment of taxes and penalties in suitability determinations; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 896—

BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 27:30.3 and to repeal R.S. 27:114 and 365(5), relative to the monitoring and reading of certain electronic gaming devices; to provide that electronic gaming devices at certain gaming establishments shall be linked by telecommunication to a central computer system for purposes of monitoring and reading device activities; to provide for the assessment and collection of fees; to provide for the adoption of rules; to provide for exceptions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1425—

BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 39:198(F), relative to contracts for the Video Gaming Monitoring System; to authorize the Department of Public Safety and Corrections to enter into a multiyear contract for up to ten years for the monitoring of video draw poker devices as required by law; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1545—

BY REPRESENTATIVES MARTINY AND BRUCE
AN ACT

To amend and reenact R.S. 27:311(H) and (K)(4), relative to video draw poker device fees; to provide that processing fees are collected annually; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1579—

BY REPRESENTATIVE JACK SMITH
AN ACT

To enact R.S. 26:71.1(4)(d) and R.S. 27:306(A)(8), relative to the operation of video draw poker devices at certain golf courses; to provide with respect to the licensing requirements for the operation of video draw poker devices at certain golf courses; to provide relative to the sale of alcoholic beverages at certain golf courses; to provide for the issuance of a conditional alcoholic beverage permit to certain golf courses; to provide for the continued operation of video draw poker devices at certain golf courses; and to provide for related matters.

Reported favorably.

Respectfully submitted,
ROBERT MARIONNEAUX, JR.
Chairman

REPORT OF COMMITTEE ON

ENVIRONMENTAL QUALITY

Senator Fontenot, Chairman on behalf of the Committee on Environmental Quality, submitted the following report:

May 25, 2004

To the President and Members of the Senate:

I am directed by your Committee on Environmental Quality to submit the following report:

HOUSE BILL NO. 846—

BY REPRESENTATIVE MORRISH
AN ACT

To amend and reenact R.S. 30:2418(G), (H)(3) and (4), (I), (J), and (O)(3), relative to waste tires; to provide for fees collected on the sale of tires; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 885—

BY REPRESENTATIVE BEARD
AN ACT

To enact R.S. 30:2394(E), relative to the water quality; to provide for permit requirements for irrigating with water from certain sources; and to provide for related matters.

Reported favorably.

Respectfully submitted,
HEULETTE "CLO" FONTENOT
Chairman

REPORT OF COMMITTEE ON

JUDICIARY C

Senator Chaisson, Chairman on behalf of the Committee on
Judiciary C, submitted the following report:

May 25, 2004

To the President and Members of the Senate:

I am directed by your Committee on Judiciary C to submit the
following report:

SENATE BILL NO. 523—
BY SENATOR BAJOEIE

AN ACT

To enact R.S. 14:95.2.1, relative to offenses affecting public safety;
to prohibit the carrying of firearms during a parade; to provide
for definitions; to provide for penalties; to provide for
exceptions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 535—
BY SENATOR IRONS

AN ACT

To amend and reenact R.S. 40:1300.52(D)(1)(a) and
1300.53(A)(1)(a), relative to certain care facilities; to provide
relative to criminal history; to provide relative to the conviction
of certain crimes; to provide relative to employment of
nonlicensed persons in certain care facilities; to prohibit such
employment for persons convicted of such crimes; and to
provide for related matters.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 32—
BY REPRESENTATIVE WALKER

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Police to increase public
awareness of the existence of Louisiana's Sex Offender Registry
through the use of public service announcements, including but
not limited to providing information on how to access and search
the database.

Reported favorably.

HOUSE BILL NO. 5—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 15:145(B)(3), relative to contract
attorneys for judicial district indigent defender boards; to delete
the requirement that any contract attorney be a resident of the
judicial district; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 33—

BY REPRESENTATIVE FARRAR
AN ACT

To amend and reenact R.S. 14:93(A), relative to the crime of cruelty
to juveniles; to provide for additional grounds for violations for
the intentional or negligent exposure to a clandestine laboratory
operation; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 42—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 14:35.3(B)(2), relative to the crime of
domestic abuse battery; to define "household member" to
include certain minor children; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 43—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 14:30(A)(9) and to amend and reenact R.S. 14:30(B),
relative to homicide; to provide with respect to the crime of first
degree murder; to provide for definitions; and to provide for
related matters.

Reported favorably.

HOUSE BILL NO. 134—

BY REPRESENTATIVES BRUCE, MONTGOMERY, BURRELL,
ROMERO, WHITE, AND WOOTON
AN ACT

To amend and reenact R.S. 15:283(A)(introductory paragraph),
440.2(A)(1) and (B), 440.4(A)(introductory paragraph) and (1)
and (2), and 440.5(A)(introductory paragraph) and (6) and
Children's Code Articles 322, 323(2), 324(A),
326(A)(introductory paragraph), 329(A)(introductory
paragraph), 652(A)(4), and 1027(A)(4), relative to testimony of
children; to authorize the taking of testimony outside of the
courtroom from children fourteen years of age or younger in
certain circumstances; to authorize the videotaped recollection
of a statement from children fourteen years of age or younger in
certain circumstances; to delete provisions restricting the use of
closed circuit television and videotaped statements to children
who have been sexually or physically abused; to provide with
respect to the admissibility of videotaped statements; to provide
with respect to definitions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 137—

BY REPRESENTATIVE WALKER
AN ACT

To amend and reenact R.S. 15:541(1) and 542.1(H)(3)(b), relative to
registration of sex offenders; to provide with respect to the
length of time certain sex offenders are required to register; to
provide for the definition of "aggravated offense"; and to provide
for related matters.

Reported favorably.

HOUSE BILL NO. 357—

BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 32:661.1(D), relative to operating a watercraft under the influence of alcohol or controlled dangerous substances; to provide for a definition of "public navigable waterways" for purposes of the implied consent law; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 541—

BY REPRESENTATIVES LAFLEUR AND DORSEY
AN ACT

To enact Chapter 3-C of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:555 and 556, relative to sexual assault; to create the Louisiana Sexual Assault Task Force; to provide for its membership; to provide for meetings; to provide for duties; to provide for reporting requirements; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 736—

BY REPRESENTATIVE LAFLEUR
AN ACT

To amend and reenact R.S. 56:31 and 31.1, relative to class one violations; to provide for penalties for class one violations of the hunting and fishing laws; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 909—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact Code of Criminal Procedure Article 895.4, relative to crime stoppers organizations and the additional cost of court which is imposed on offenders who are convicted of criminal and traffic violations and which is used to fund certain operations of those organizations; to provide for the certification of crime stoppers organizations by sheriffs and chiefs of police; to provide for the payment of the funds derived from the additional cost of court to certified crime stoppers organizations; to provide for the use of those funds; to provide definitions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 925—

BY REPRESENTATIVE JACK SMITH
AN ACT

To enact R.S. 15:542(B)(6), relative to notification by sex offenders; to provide with respect to posting of notices in certain places of business; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1132—

BY REPRESENTATIVE FARRAR
AN ACT

To enact R.S. 40:966(E)(5), relative to possession of marijuana; to provide that prior convictions of distribution, dispensing, or possession with intent to distribute or dispense marijuana may

serve as predicate offenses for penalties for multiple offenders; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1133—

BY REPRESENTATIVE FARRAR
AN ACT

To amend and reenact R.S. 40:967(B)(1) and (3), relative to the Uniform Controlled Dangerous Substances Law; to increase penalties for certain violations involving amphetamine and methamphetamine; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1697 (Substitute for House Bill No. 153 by Representative Faucheux)—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 13:2586(C)(1) and to enact R.S. 13:2586(E), relative to jurisdiction of justice of the peace courts; to provide for certain parishwide jurisdiction in criminal matters; to provide for retention of original jurisdiction over certain judgments; to provide that a constable of the court has parishwide jurisdiction to enforce certain civil judgments; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JOEL T. CHAISSON, II
Chairman

**Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees**

The following Senate Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

SENATE BILL NO. 82—

BY SENATOR BOISSIERE
AN ACT

To amend and reenact R.S. 11:3385.1(G), relative to the New Orleans Firefighters' Pension and Relief Fund; to provide for interest paid on Deferred Retirement Option Plan accounts; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. On motion of Senator Boissiere, the bill was read by title, ordered engrossed, and passed to a third reading.

**Senate Bills and Joint Resolutions
on Second Reading**

The following Senate Bills and Joint Resolutions were taken up and acted upon as follows:

SENATE BILL NO. 874 (Substitute for Senate Bill No. 697 by Senator Irons)—

BY SENATOR IRONS

AN ACT

To enact R.S. 17:3992(A)(3) and 3995(A)(6), relative to the International School of Louisiana and certain other type 2 charter schools; to provide with regard to the funding of certain type 2 charter schools; to mandate full funding of such schools; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and ordered engrossed and passed to a third reading.

**House Bills and Joint Resolutions
on Second Reading
Reported by Committees**

The following House Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

HOUSE BILL NO. 58—

BY REPRESENTATIVE TRICHE

AN ACT

To provide with respect to the Early Retirement and Payroll Reduction Act; to provide for a reduction in state employment and for early retirement of members of the Louisiana State Employees' Retirement System, including but not limited to provisions for eligibility, retirement benefits, restrictions on hiring of new employees, abolition of vacated positions, reductions in appropriated funds, and funding; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 198—

BY REPRESENTATIVES BRUNEAU, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BURNS, BURRELL, R. CARTER, CAZAYOUX, CRANE, CROWE, DAMICO, DANIEL, DARTEZ, DEWITT, DORSEY, DOVE, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GEYMAN, GLOVER, E. GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HUNTER, HUTTER, JACKSON, JOHNS, KATZ, KENNEY, LABRUZZO, LAFLEUR, LAMBERT, LANCASTER, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MURRAY, ODINET, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TUCKER, WALSWORTH, WHITE, WINSTON, AND WRIGHT

AN ACT

To amend and reenact R.S. 47:1206 and to repeal Chapter 14 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:1201 through 1212, relative to the gift tax; to phase in a reduction and repeal of the gift tax; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 198 by Representative Bruneau

AMENDMENT NO. 1

On page 2, line 6, change "eighteen" to "sixteen"

AMENDMENT NO. 2

On page 2, line 8, change "forty" to "thirty-two"

AMENDMENT NO. 3

On page 2, line 10, change "sixty" to "forty-nine"

AMENDMENT NO. 4

On page 2, line 11, after "2008" insert "and before July 1, 2009"

AMENDMENT NO. 5

On page 2, line 12, change "eighty" to "sixty-six"

AMENDMENT NO. 6

On page 2, between lines 12 and 13, insert:

"(5) For gifts occurring after June 30, 2009, the tax rates provided in this Section shall be reduced by eighty-three percent."

AMENDMENT NO. 7

On page 2, line 16, change "2009" to "2010"

On motion of Senator Mount, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 205—

BY REPRESENTATIVE FUTRELL

AN ACT

To amend and reenact R.S. 47:1568(B), relative to state taxation; to increase the time period for payment of certain taxes due; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 373—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 11:185(C), relative to state and statewide retirement systems; to provide for definitions; to provide for changes to the educational requirements for the boards of trustees of the systems; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 485—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 33:2621, relative to taxes on motor vehicles; to authorize the governing authority of a municipality or of a district created by it; to exempt motor vehicles owned by

persons sixty-five years of age or older from general or special ad valorem taxes levied by the municipality or by a district created by it; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 505—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 49:316.1(A)(2)(a) and to enact R.S. 49:316.1(A)(2)(c), relative to payments by treasury approved credit and debit cards; to provide for fees charged on transactions administered by third-party processors for the Department of Revenue or the Department of Transportation and Development; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 505 by Representative Hammett.

AMENDMENT NO. 1

On page 2, line 10, after "provided in this Section." insert: "However, the amount of the convenience fee shall be approved by the Senate Committee on Revenue and Fiscal Affairs and the House Committee on Ways and Means. In addition, the amount of the convenience fee shall be disclosed to the payor before the transaction is completed and the payor shall be given the option of canceling the transaction at that time."

On motion of Senator Mount, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 648—

BY REPRESENTATIVE ALARIO
AN ACT

To amend and reenact R.S. 9:154(A)(16) and 165(B) and to enact R.S. 9:154(A)(17), relative to the Uniform Unclaimed Property Act; to provide for time periods for presumption of abandonment; to provide for administrative costs related to the sale of abandoned property; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 648 by Representative Alario

AMENDMENT NO. 1

On page 1, line 2, delete "and 165(B)"

AMENDMENT NO. 2

On page 1, delete lines 4 and 5 and insert "of abandonment; and to provide for related matters."

AMENDMENT NO. 3

On page 1, line 7, change "and 165(B) are" to "is"

AMENDMENT NO. 4

On page 2, delete lines 4 through 9

On motion of Senator Heitmeier, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 832—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To enact Parts VIII and IX of Chapter 6 of Subtitle III of Title 11, to be comprised of R.S. 11:2151 through 2157, relative to the Registrars of Voters Employees' Retirement System; to provide with respect to qualification of the pension plan and trust of the retirement system under Section 401(a) of the Internal Revenue Code; to provide an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 935—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To enact R.S. 11:267(A)(4), relative to the Louisiana Assessors' Retirement Fund; to provide for investing of funds in equity and for an indexing strategy; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 936—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:106(C)(introductory paragraph), relative to the Louisiana Assessors' Retirement Fund; to provide for the use of excess funds when the board of trustees increases the net direct employer contribution rate; to provide for a retroactive effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 949—

BY REPRESENTATIVE FANNIN
AN ACT

To amend and reenact R.S. 11:1751(E), relative to the Municipal Employees' Retirement System; to allow certain persons to opt out of otherwise mandatory participation; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 976—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To enact R.S. 11:1332, relative to the Louisiana State Police Pension and Retirement System; to authorize the board of trustees to use interest earnings on investments in excess of normal requirements to provide a cost-of-living increase; to provide limitations; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 978—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 11:417, 422(C), 605(B), and 606(B)(2) and to repeal R.S. 11:448(B)(1) and (2), relative to the Louisiana State Employees' Retirement System; to provide relative to continued membership in the system; to provide for the actuarial purchase of service credit; to provide relative to participation in the Deferred Retirement Option Plan; to provide relative to the transfer of service credit; to provide relative to the Deferred Retirement Option Plan relative to public safety services employees; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 979—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To enact R.S. 11:446(F), relative to survivor benefits for the Louisiana State Employees' Retirement System; to provide for a default designated beneficiary and exceptions; to provide for a default joint and survivor benefit; to establish the benefit due a surviving spouse of a deceased member; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 980—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 11:429 and to repeal R.S. 11:425 through 428, 430, and 431, relative to the purchase of service credit in the Louisiana State Employees' Retirement System; to provide for the purchase of up to five years of service credit in the system; to repeal certain provisions relative to the purchase of service credit; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 981—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To enact Subpart D of Part IV of Chapter 1 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:491, relative to the Louisiana State Employees' Retirement System; to provide for the collection of benefits paid to a member but not due the member; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 982—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 11:225, relative to the Louisiana State Employees' Retirement System; to provide for the return to active service by any disability retiree; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 983—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 11:1455(B), relative to the Louisiana Assessors' Retirement Fund; to provide for a lump sum repayment of withdrawn employee contributions; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1200—BY REPRESENTATIVES LAFLEUR, THOMPSON, AND CAZAYOUX
AND SENATORS HAINKEL AND HOLDEN

AN ACT

To amend and reenact R.S. 39:81 and to enact R.S. 11:176, relative to state and statewide public retirement systems; to require each such retirement system to submit its operating budget to the Joint Legislative Committee on the Budget; to provide for review and approval of state system budgets and review of statewide system budgets; to provide for contents; to provide for modifications; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1224—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 39:1593(C)(2)(a) and to enact R.S. 39:1484(A)(25), 1503(A)(4), and 1594(C)(5), relative to competitive bidding; to require competitive bids and requests for proposals to be advertised electronically; to provide for definitions; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 1224 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 4, after "for definitions;" insert "to provide for an effective date;"

AMENDMENT NO. 2

On page 3, lines 5 and 6, change "July" to "October"

On motion of Senator Heitmeier, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1295—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 42:1001, 1002(2), (4), and (5), 1003 through 1005, and 1008 through 1011, to enact R.S. 42:1002(12), (13), and (14), and to repeal R.S. 42:1006 and 1007, relative to the federal-state agreement for old age and survivors benefits for state employees; to provide for the inclusion of disability and health insurance benefits in such agreement; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1310—

BY REPRESENTATIVE SALTER

AN ACT

To authorize the state of Louisiana to forgive a portion of the mortgage payment and to redirect certain payments due to the state from the Coushatta Industrial Development Corporation for the purposes of the further economic development of the city of Coushatta under certain circumstances; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1419—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 47:1838(introductory paragraph), relative to the Louisiana Tax Commission; to authorize the continued assessment and collection of fees assessed in connection with services performed by the commission; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1700 (Substitute for House Bill No. 1130 by Representative Daniel)—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 47:1837.1, relative to the Louisiana Tax Commission; to establish a pilot program for creation of a statewide ad valorem tax assessment database for publication on the Internet; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 1700 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 2, delete "pilot"

AMENDMENT NO. 2

On page 1, line 8, change "Pilot program for" to "Program for a"

AMENDMENT NO. 3

On page 1, line 9, after "A." insert "(1)" and delete "pilot"

AMENDMENT NO. 4

On page 1, line 10, after "established." insert: "Participation in the program shall be required of any parish with a population which exceeds seventy-five thousand according to the most recent federal decennial census and shall include those parishes agreeing to participate in the program as provided for in Subsection (C) and (D) of this Section."

(2)"

AMENDMENT NO. 5

On page 1, line 11, change "pilot program" to "program as provided for in this Section"

AMENDMENT NO. 6

On page 1, line 12, change "Those" to "Such"

AMENDMENT NO. 7

On page 1, line 13, change "pilot program" to "program"

AMENDMENT NO. 8

On page 1, line 16, change "the participating" to "such"

AMENDMENT NO. 9

On page 2, line 18, after "parishes" insert "with populations which do not exceed the population limit provided for in Subsection (A) of this Section" and delete "pilot"

AMENDMENT NO. 10

On page 2, line 19, delete "Ascension."

AMENDMENT NO. 11

On page 2, line 20, delete "Bossier, Caddo, Calcasieu," and at the end of the line delete "East Baton" and on line 21, delete "Rouge."

AMENDMENT NO. 12

On page 2, line 22, delete "Lafayette, LaFourche," and delete "Livingston,"

AMENDMENT NO. 13

On page 2, delete line 23

AMENDMENT NO. 14

On page 2, line 24, delete "Ouachita," and delete "Rapides,"

AMENDMENT NO. 15

On page 2, line 25, delete "St. Landry," and delete "Tangipahoa,"

AMENDMENT NO. 16

On page 2, line 26, delete "Terrebonne,"

AMENDMENT NO. 17

On page 2, line 29, after "any assessor" insert "from a parish provided for in Subsection (C) of this Section"

AMENDMENT NO. 18

On page 3, line 1, delete "pilot"

AMENDMENT NO. 19

On page 3, line 5, delete "pilot"

On motion of Senator Mount, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

Rules Suspended

Senator Smith asked for and obtained a suspension of the rules for the purpose of recalling Senate Concurrent Resolution No. 123 from the Committee on Transportation, Highways, and Public Works.

SENATE CONCURRENT RESOLUTION NO. 123—

BY SENATORS SMITH AND MCPHERSON

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the laws that govern the operation of vehicles which haul Louisiana products on the highways and roadways of Louisiana in excess of the standard limitations set forth in law, and to include in such study more particularly, vehicles transporting forestry products in their natural state and vehicles transporting Louisiana-produced lignite coal and coke fuel.

The resolution was read by title. Senator Smith moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Kostelka
Adley	Fields	Malone

Amedee	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Cain	Hainkel	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Duplessis	Jackson	Theunissen
Dupre	Jones	Ullo
Total—33		

NAYS

Total—0

ABSENT

Bajoie	Dardenne	Lentini
Boissiere	Heitmeier	Marionneaux
Total—6		

The Chair declared the Senate had adopted the Senate Concurrent Resolution, and ordered it sent to the House.

Reconsideration

On motion of Senator Marionneaux, pursuant to the previous notice given, the vote by which the following bill failed to pass on Monday, May 24, 2004 was reconsidered.

SENATE BILL NO. 225—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact Civil Code Art. 2315.2(A) and to enact Civil Code Art. 2315(C), relative to wrongful death actions; to provide for recoverable damages in such actions; to extend the same rights of recovery of the spouse and children of the deceased to minor children living in the household; to add certain recoverable damages for a surviving spouse in such actions; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

Reconsideration

On motion of Senator Marionneaux, pursuant to the previous notice given, the vote by which the following bill failed to pass on Monday, May 24, 2004 was reconsidered.

SENATE BILL NO. 420—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact Code of Civil Procedure Art. 1920, relative to court costs; to require the non-prevailing party to pay all costs if the suit is or the defense to the suit is frivolous; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

**Senate Bills and Joint Resolutions
Returned from the House
of Representatives with Amendments**

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

SENATE BILL NO. 13—

BY SENATOR THEUNISSEN

AN ACT

To enact Chapter 9 of Title 2 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 2:1001 through 1004, relative to wireless communication facilities; to provide for notice of the proposed construction of and for the marking of such facilities; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 13 by Senator Theunissen

AMENDMENT NO. 1

On page 1, line 3, after "relative to" delete "wireless"

AMENDMENT NO. 2

On page 1, line 9, after "CHAPTER 9." delete "WIRELESS"

AMENDMENT NO. 3

On page 1, line 13, after "Chapter," change "'wireless communication facility'" to "'communication facility'"

AMENDMENT NO. 4

On page 1, line 15, after "purpose" delete the period "." and insert in lieu thereof "where the antenna or antenna support structure is not connected to a similar antenna or antenna support structure by an overhead wire used to transmit the signal."

AMENDMENT NO. 5

On page 2, line 1, after "construct a" delete "wireless"

AMENDMENT NO. 6

On page 2, line 5, after "Any airport" insert "which has been approved by the department"

AMENDMENT NO. 7

On page 2, line 10, after "use of the" delete "wireless"

AMENDMENT NO. 8

On page 2, at the end of line 13, after "construction of the" delete "wireless"

AMENDMENT NO. 9

On page 2, at the end of line 19, after "regulating a" delete "wireless"

AMENDMENT NO. 10

On page 2, line 21, after "Marking of" delete "wireless"

AMENDMENT NO. 11

On page 2, line 29, after "(b)" change "'Wireless communication facility'" to "'Communication facility'"

AMENDMENT NO. 12

On page 3, line 5, after "construct a" delete "wireless"

Senator Theunissen moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boasso	Hainkel	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—35		

NAYS

Total—0

ABSENT

Boissiere	Heitmeier
Dardenne	Marionneaux
Total—4	

The Chair declared the amendments proposed by the House were concurred in. Senator Theunissen moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 137—

BY SENATOR FIELDS

AN ACT

To enact R.S. 51:1421(D), relative to deceptive and unfair trade practices; to require the Department of Economic Development to provide certain notices to retail businesses; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Waddell to Engrossed Senate Bill No. 137 by Senator Fields

AMENDMENT NO. 1

On page 1, line 3, delete "Department of Economic Development" and insert in lieu thereof "Department of Justice, consumer protection section"

AMENDMENT NO. 2

On page 1, line 11, after "Department of" delete the remainder of the line and on line 12, delete "regulations" and insert in lieu thereof "Justice, consumer protection section shall adopt policies and procedures"

Senator Fields moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boasso	Hainkel	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—35		

NAYS

Total—0

ABSENT

Boissiere	Heitmeier
Dardenne	Marionneaux
Total—4	

The Chair declared the amendments proposed by the House were concurred in. Senator Fields moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 295—

BY SENATOR N. GAUTREAUX
AN ACT

To enact R.S. 51:1423, relative to deceptive and unfair trade practices; to prohibit the issuing of a gift certificate with an expiration date or which includes any service fee; to provide for penalties; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 295 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 1, line 3, following "date" and before "or" insert "less than five years from the date of issuance" and following "fee;" and before "to" insert "to allow a one-time handling fee not to exceed one dollar;"

AMENDMENT NO. 2

On page 2, line 3, following "date" and before "is" change ", which" to "that"

AMENDMENT NO. 3

On page 2, line 7, following "one" and before "time" insert "-"

AMENDMENT NO. 4

On page 2, line 14, following "loyalty" and before "or" delete ", "

Senator N. Gautreaux moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boasso	Hainkel	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—35		

NAYS

Total—0

ABSENT

Boissiere	Heitmeier
Dardenne	Marionneaux
Total—4	

The Chair declared the amendments proposed by the House were concurred in. Senator N. Gautreaux moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 385—

BY SENATOR LENTINI
AN ACT

To amend and reenact R.S. 47:1979, relative to reporting of property owned by Tax Commission members; to provide for a deadline for the reporting; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Reengrossed Senate Bill No. 385 by Senator Lentini

AMENDMENT NO. 1

On page 2, line 9, after "Senate" delete the remainder of the line and insert a comma "," and "the Speaker of the House of Representatives and the Legislative Audit Advisory Council no later than December"

Senator Lentini moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Cain	Hainkel	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Boissiere	Heitmeier	Marionneaux
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Lentini moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 530—
BY SENATOR IRONS****AN ACT**

To amend and reenact R.S. 47:120.71(B), relative to donations for the Louisiana Animal Welfare Commission; to provide that donations be remitted during a certain time to the Louisiana Animal Welfare Fund; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Richmond to Engrossed Senate Bill No. 530 by Senator Irons

AMENDMENT NO. 1

On page 1, line 2, after "reenact" and before the comma "," change "R.S. 47:120.71(B)" to "R.S. 3:2364(B)(2) and R.S. 47:120.71(B)" and after "relative to" and before "the" delete "donations for"

AMENDMENT NO. 2

On page 1, line 3, after "Commission;" and before "to provide" insert "to provide with respect to the Louisiana Animal Welfare Commission and its members;"

AMENDMENT NO. 3

On page 1, between lines 5 and 6, insert the following:

"Section 1. R.S. 3:2364(B)(2) is hereby amended and reenacted to read as follows:

§2364. Louisiana Animal Welfare Commission

* * *

B. Creation and membership. (1)

* * *

(2) Members of the commission shall serve ~~two-year~~ four-year terms and shall not receive any compensation or reimbursement of expenses. Each member of the commission shall hold office until the appointment and qualification of his successor. Whenever a vacancy occurs in an appointed position, the vacancy shall be filled in the same manner and under the same terms and conditions as required for the original appointment. The commission shall meet at the call of the chairman at least quarterly and more often if necessary.

* * *

AMENDMENT NO. 4

On page 1, at the beginning of line 6, change "Section 1." to "Section 2."

Senator Irons moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Cain	Hainkel	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Boissiere Heitmeier Marionneaux
Total—3

The Chair declared the amendments proposed by the House were concurred in. Senator Irons moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 635—
BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 35:200 and to enact R.S. 35:18, relative to notaries public; to provide for a one-year period of prescription for filing of malpractice actions against notaries; to provide for remedial application of provisions; to provide for a final date for the filing of certain actions; to provide for exceptions to the peremptive period in cases of fraud; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 635 by Senator Barham

AMENDMENT NO. 1

On page 1, line 2, after "35:200" and before the comma "," delete "and to enact R.S. 35:18"

AMENDMENT NO. 2

On page 1, line 8, after "reenacted" delete the remainder of the line and at the beginning of line 9, delete "enacted"

AMENDMENT NO. 3

On page 1, delete lines 10 through 17 in their entirety

AMENDMENT NO. 4

On page 2, delete lines 1 through 27 in their entirety

AMENDMENT NO. 5

On page 3, line 18, change "must" to "shall"

AMENDMENT NO. 6

On page 4, between lines 6 and 7, insert the following:

"F. The provisions of this Section shall not apply to notaries who are attorneys, who shall be subject to the provisions of R.S. 9:5605."

Senator Barham moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dupre Kostelka
Adley Ellington Lentini

Amedee Fields Malone
Bajoie Fontenot McPherson
Barham Gautreaux, B Michot
Boasso Gautreaux, N Mount
Cain Hainkel Nevers
Chaisson Holden Romero
Cheek Hollis Schedler
Cravins Irons Smith
Dardenne Jackson Theunissen
Duplessis Jones Ullo
Total—36

NAYS

Total—0

ABSENT

Boissiere Heitmeier Marionneaux
Total—3

The Chair declared the amendments proposed by the House were concurred in. Senator Barham moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**Senate Concurrent Resolutions
to be Adopted, Subject to Call**

The following Senate Concurrent Resolutions to be adopted, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Ellington asked that Senate Concurrent Resolution No. 66 be called from the Calendar at this time.

SENATE CONCURRENT RESOLUTION NO. 66—
BY SENATOR ELLINGTON

A CONCURRENT RESOLUTION

To recognize the Boeuf River Band of Cherokees as an Indian tribe of Louisiana.

The resolution was read by title.

Floor Amendments Sent Up

Senator Ellington sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Engrossed Senate Concurrent Resolution No. 66 by Senator Ellington

AMENDMENT NO. 1

On Page 2, on line 16, after "compact," insert the following: "state gaming license, tribal/state compact, or permit"

On motion of Senator Ellington, the amendments were adopted.

Senator Ellington moved to adopt the amended Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Holden
Bajoie	Ellington	Irons
Chaisson	Fields	Jackson
Cravins	Gautreaux, B	Jones
Duplessis	Gautreaux, N	McPherson
Total—15		

NAYS

Adley	Heitmeier	Nevers
Barham	Hollis	Romero
Cain	Kostelka	Schedler
Cheek	Lentini	Smith
Dardenne	Malone	Theunissen
Fontenot	Michot	Ullo
Hainkel	Mount	
Total—20		

ABSENT

Amedee	Boissiere
Boasso	Marionneaux
Total—4	

The Chair declared the Senate refused to adopt the amended Senate Concurrent Resolution.

Notice of Reconsideration

Senator Ellington, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the resolution failed to pass.

Called from the Calendar

Senator Holden asked that Senate Concurrent Resolution No. 49 be called from the Calendar at this time.

**SENATE CONCURRENT RESOLUTION NO. 49—
BY SENATOR HOLDEN****A CONCURRENT RESOLUTION**

To urge and request the Board of Regents to develop a plan for the coordinated expansion of community colleges throughout the state which accounts for and includes the provision of educational services as well as the needed capital facility.

The resolution was read by title.

Floor Amendments Sent Up

Senator Holden sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Holden to Engrossed Senate Concurrent Resolution No. 49 by Senator Holden

AMENDMENT NO. 1

On page 2, line 7, after “colleges” insert “and vocational technical schools”

On motion of Senator Holden, the amendments were adopted.

Senator Holden moved to adopt the amended Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Bajoie	Fields	McPherson
Barham	Holden	Michot
Boissiere	Hollis	Mount
Cheek	Irons	Schedler
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—21		

NAYS

Adley	Ellington	Kostelka
Amedee	Fontenot	Malone
Boasso	Gautreaux, B	Nevers
Cain	Gautreaux, N	Romero
Cravins	Hainkel	Smith
Total—15		

ABSENT

Chaisson	Heitmeier	Marionneaux
Total—3		

The Chair declared the Senate had adopted the amended Senate Concurrent Resolution and ordered it engrossed and sent to the House.

**Senate Bills and Joint Resolutions on
Third Reading
and Final Passage**

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

**SENATE BILL NO. 73—
BY SENATOR MCPHERSON****AN ACT**

To amend and reenact R.S. 22:1513(C)(2)(b) and to enact R.S. 22:250.43(C) and 250.48, relative to health insurance coverage; to provide with respect to the dental patient's option to choose services regardless of insurance coverage under specific circumstances; to provide an exception to notice and billing requirements imposed on certain health insurers under certain circumstances; to provide for payment of services to dental providers by insurers; and to provide for related matters.

Floor Amendments Sent Up

Senator Holden sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Holden to Engrossed Senate Bill No. 73 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 5 delete "notice and billing" and insert "contract"

AMENDMENT NO. 2

On page 2, delete lines 4 through 7 and insert in lieu thereof the following: "Regardless of any contractual provisions contained in a health insurance contract or plan delivered in this state, should a patient receive a dental diagnosis for which the patient qualifies for a covered dental service pursuant to the patient's health plan, the patient may choose either of the following:

A. The covered service designated by the patient's health or dental plan for treatment of the condition diagnosed.

B. An alternate type, form, or quality of a dental procedure to treat the diagnosed condition which procedure is of equal or greater price, provided that the patient approves the alternate procedure in advance and in writing. For alternate services or procedures provided pursuant to this Subsection, the provider shall be paid for the dental procedure as follows:

(1) The insurer shall pay the amount due under the covered procedure which was an approved service for the treatment of the diagnosed condition.

(2) The patient shall pay that amount which is the difference between the amount of the covered service and the amount of the chosen alternate service or procedure."

On motion of Senator Holden, the amendments were adopted.

The bill was read by title. Senator McPherson moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux, B	Mount
Boasso	Gautreaux, N	Nevers
Boissiere	Hainkel	Romero
Cain	Holden	Schedler
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	Ulló
Dardenne	Jones	
Duplessis	Kostelka	
Total—37		

NAYS

Total—0

ABSENT

Heitmeier

Marionneaux

Total—2

The Chair declared the amended bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 446—

BY SENATORS JACKSON AND SCHEDLER

AN ACT

To amend and reenact R.S. 46:153.3(D)(5) and to enact R.S. 46:153.3(D)(5)(f), relative to the Medicaid Drug Program; to provide for duties and responsibilities of the Medicaid Pharmaceutical and Therapeutics Committee; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 446 by Senator Jackson

AMENDMENT NO. 1

On page 1, line 2, following "R. S. 46:153.3(D)(5)" and before ", delete "and to enact R. S. 46:153.3(D)(5)(f)"

AMENDMENT NO. 2

On page 1, line 7, following "reenacted" delete "and R. S."

AMENDMENT NO. 3

On page 1, line 8, delete "46:153.3(D)(5)(f) is hereby enacted"

AMENDMENT NO. 4

On page 1, line 14, following "**shall**" and before "**in**" change "**only meet**" to "**meet only**"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Jackson moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux, B	Mount
Boasso	Gautreaux, N	Nevers
Boissiere	Hainkel	Romero

Cain	Holden	Schedler
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Kostelka	
Total—37		

NAYS

Total—0

ABSENT

Heitmeier	Marionneaux
Total—2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Jackson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 475—
BY SENATOR DARDENNE

AN ACT

To repeal R.S. 42:1123(13), relative to the Code of Governmental Ethics; to repeal provisions relative to an elected official's ability to receive certain gifts; and to provide for related matters.

On motion of Senator Dardenne, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 571—
BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 40:2532, relative to law enforcement; to provide for an exception to the release of personal information; and to provide for related matters.

On motion of Senator Jackson, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 579—
BY SENATOR JONES

AN ACT

To enact R.S. 44:22, relative to public records; to exempt certain records in the custody of the Department of Economic Development pertaining to negotiations relative to economic development activities from the laws relative to public records until negotiations are concluded; to provide for certain determinations by the secretary of the Department of Economic Development; to provide for notice; to delete certain types of information from the exemption; to provide relative to the effectiveness; and to provide for related matters.

The bill was read by title. Senator Jones moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
---------------	-----------	---------

Adley	Fields	Malone
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boasso	Hainkel	Nevers
Boissiere	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—35		

NAYS

Cravins
Total—1

ABSENT

Cain	Heitmeier	Marionneaux
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 607—
BY SENATOR CHAISSON

AN ACT

To enact R.S. 37:930(G), relative to health care providers; to provide with respect to legislative findings and intent; to provide with respect to the authority to administer anesthetic to persons; and to provide for related matters.

On motion of Senator Chaisson, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 611—
BY SENATOR JACKSON

AN ACT

To enact R.S. 44:3(I) and (J), relative to public records; to provide for open records of law enforcement in certain cases; and to provide for related matters.

On motion of Senator Jackson, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 689—
BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 46:153.3(B)(2)(b) and to enact R.S. 46:153.3(B)(2)(a)(vi) and 153.3(B)(2)(e)(i) and (ii), relative to the medical assistance drug program; to provide for the utilization of a prior approval process and criteria related thereto; to provide for rulemaking; to provide for an annual report to the legislature and governor; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 689 by Senator Jackson

AMENDMENT NO. 1

On page 1, line 2, change "153(B)(2)(b)" to "153(B)(2)(a)(introductory paragraph) and (b)"

AMENDMENT NO. 2

On page 1, line 2, after "enact R. S. 46:" delete "153.3(B)(2)(a)(vi) and"

AMENDMENT NO. 3

On page 1, line 3, after "153.3(B)(2)(e)" delete "(i) and (ii)"

AMENDMENT NO. 4

On page 1, line 8, change "153(B)(2)(b)" to "153(B)(2)(a)(introductory paragraph) and (b)" and change "is" to "are"

AMENDMENT NO. 5

On page 1, line 9, after "46:" delete "153.3(B)(2)(a)(vi) and"

AMENDMENT NO. 6

On page 1, line 9, after "153.3(B)(2)(e)" delete "(i) and (ii)" and change "are" to "is" and on line 15, delete "B."

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Jackson moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Mount
Boissiere	Gautreaux, N	Nevers
Cain	Hainkel	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—35		

NAYS

Total—0

ABSENT

Boasso Marionneaux

Heitmeier
Total—4

Michot

The Chair declared the amended bill was passed. The title was read and adopted. Senator Jackson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Senator Bajoie in the Chair

SENATE BILL NO. 774—

BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 34:29(A)(introductory paragraph), (1), (D), and (E), to enact R.S. 34:29(J), and to repeal R.S. 34:29(B), relative to the Port of New Orleans; to provide relative to the port's borrowing power and debt limitation; to remove certain limitations; to provide for the port's authority to continue the issuance of bonds and other obligations; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Jones
Adley	Dupre	Lentini
Amedee	Ellington	Malone
Bajoie	Fields	McPherson
Barham	Fontenot	Michot
Boasso	Gautreaux, B	Mount
Boissiere	Gautreaux, N	Nevers
Cain	Hainkel	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Total—36		

NAYS

Total—0

ABSENT

Heitmeier	Kostelka	Marionneaux
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 808—

BY SENATOR HINES

AN ACT

To enact R.S. 40:1300.143(3)(d), relative to the rural hospital preservation act; to require certification by the Rural Hospital Coalition, Inc., as a prerequisite to being designated as a rural hospital; and to provide for related matters.

The bill was read by title. Senator Hines moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Chaisson	Heitmeier	Marionneaux
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Hines moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 819—

BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 51:922.1, relative to the Department of Economic Development; to require any person, firm, or corporation receiving direct equity investment from the state to post a bond or other security; to allow the department to promulgate rules and regulations; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 828—

BY SENATOR HOLDEN

AN ACT

To enact R.S. 28:381(48), (49), (50), and (51) and Part VII of Chapter 4 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:450 through 453, relative to the compensation of community direct service workers; to provide for a study request on the elimination of the disparity between the compensation of those workers and comparable workers; to provide for definitions, rules, and administration; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 828 by Senator Holden

AMENDMENT NO. 1

On page 1, line 3, following "28:450" and before ",," delete "through 453"

AMENDMENT NO. 2

On page 1, line 9, following "(51) and" delete the remainder of the line and insert "Part VII of Chapter 4 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R. S. 28:450,"

On motion of Senator Lentini, the amendments were adopted.

On motion of Senator Holden, the amended bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 843—

BY SENATOR AMEDEE

AN ACT

To amend and reenact R.S. 46:285(A)(2) and to enact R.S. 46:285(A)(6), relative to child protection and foster care workers; to provide that such workers shall be trained in specific legal provision; and to provide for related matters.

The bill was read by title. Senator Amedee moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Cain	Hainkel	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Boissiere	Heitmeier	Marionneaux
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Amedee moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 873 (Substitute for Senate Bill No. 782 by Senator Lentini)—

BY SENATOR LENTINI

AN ACT

To enact Part XIX of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1299.36 through 1299.36.7, and R.S. 37:1285(A)(32), all relative to human cloning; to provide for definitions; to prohibit the expenditure of state funds for the purpose of human cloning; to provide for penalties; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 873 by Senator Lentini

AMENDMENT NO. 1

On page 3, line 24, following "the" and before "amount" change "application" to "applicable"

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Engrossed Senate Bill No. 873 by Senator Lentini.

AMENDMENT NO. 1

On page 2, delete lines 5 through 7 and insert the following:

"(2) "Conception" means the formation of a viable zygote by the union of a sperm and an ovum.

(3) "Human cloning" means the practice of creating or attempting to create a human being by transferring the nucleus from a human cell from whatever source into a human egg cell from which the nucleus has been removed for the sole purpose of implanting the resulting product to initiate pregnancy that could result in the birth of a human being."

AMENDMENT NO. 2

On page 2, line 8, change "(3)" to "(4)"

AMENDMENT NO. 3

On page 2, line 11, change "(4)" to "(5)"

AMENDMENT NO. 4

On page 2, delete lines 15 and 16 and insert the following: "(6) "Embryo" means a product of conception."

AMENDMENT NO. 5

On page 2, line 17, change "(6)" to "(7)"

Senator Hines moved adoption of the amendments.

Senator Lentini objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Hollis
Adley	Duplessis	Irons
Bajoie	Ellington	Jackson
Barham	Fields	Jones
Boissiere	Heitmeier	McPherson
Cheek	Holden	
Total—17		

NAYS

Amedee	Hainkel	Romero
Boasso	Kostelka	Schedler
Cain	Lentini	Smith
Cravins	Malone	Theunissen
Fontenot	Michot	Ullo
Gautreaux, B	Mount	
Gautreaux, N	Nevers	
Total—19		

ABSENT

Chaisson	Dupre	Marionneaux
Total—3		

The Chair declared the amendments were rejected.

The bill was read by title. Senator Lentini moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Cain	Hainkel	Nevers
Chaisson	Heitmeier	Romero
Cheek	Hollis	Schedler
Cravins	Jones	Smith
Dardenne	Kostelka	Theunissen
Duplessis	Lentini	Ullo
Dupre	Malone	
Total—29		

NAYS

Mr. President	Ellington	Irons
Adley	Fields	Jackson
Boissiere	Holden	
Total—8		

ABSENT

Bajoie	Marionneaux
--------	-------------

Total—2

The Chair declared the amended bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 16—

BY SENATOR B. GAUTREAUX

AN ACT

To enact R.S. 17:183, relative to the hazing of students; to provide for legislative intent; to provide definitions; to prohibit hazing; to require city, parish, and other local public school boards to adopt, enforce, and post hazing policies; to provide for the required content of such policies; and to provide for related matters.

The bill was read by title. Senator B. Gautreaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	McPherson
Amedee	Gautreaux, B	Michot
Bajoie	Gautreaux, N	Mount
Barham	Hainkel	Nevers
Boissiere	Heitmeier	Romero
Cain	Holden	Schedler
Cravins	Hollis	Smith
Dardenne	Irons	Theunissen
Duplessis	Jackson	Ullo
Dupre	Jones	
Total—32		

NAYS

Fontenot	Kostelka	Malone
Total—3		

ABSENT

Boasso	Cheek
Chaisson	Marionneaux
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator B. Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 301—

BY SENATOR HOLDEN

AN ACT

To enact R.S. 17:24.7, relative to the functions of the state Department of Education; to require the establishment of a pilot program of extended kindergarten; to provide for the eligibility of students to participate; to provide for the nature, duration, evaluation, and continuation of the pilot program; and to provide for related matters.

The bill was read by title. Senator Holden moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Jones
Adley	Dupre	Lentini
Amedee	Ellington	McPherson
Bajoie	Fields	Michot
Barham	Gautreaux, B	Mount
Boasso	Gautreaux, N	Nevers
Boissiere	Hainkel	Romero
Cain	Heitmeier	Schedler
Chaisson	Holden	Smith
Cravins	Hollis	Theunissen
Dardenne	Irons	Ullo
Total—33		

NAYS

Kostelka	Malone
Total—2	

ABSENT

Cheek	Jackson
Fontenot	Marionneaux
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Holden moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Mr. President in the Chair

SENATE BILL NO. 310—

BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 49:214.38, and to enact Part II-B of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950, consisting of R.S. 49:214.52 through 214.61, inclusive, relative to coastal wetlands; to provide relative to barrier islands; to provide relative to property in the coastal zone needed for barrier island preservation, restoration, or creation for coastal wetlands purposes; to authorize certain expropriation of property; to authorize and provide certain procedures for expropriation by declaration of taking; to provide relative to authority and procedures by the state Department of Natural Resources; to set forth certain terms, conditions, and procedures for proceedings; to provide an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 310 by Senator Dupre

AMENDMENT NO. 1

On page 3, line 22, following "then" and before "existing" insert "-"

AMENDMENT NO. 2

On page 3, line 29, following "then" and before "existing" insert "-"

AMENDMENT NO. 3

On page 4, line 24, following "then" and before "existing" insert "-"

AMENDMENT NO. 4

On page 6, line 5, following "then" and before "existing" insert "-"

AMENDMENT NO. 5

On page 6, line 28, following "R. S." and before "has" change "49:215.53" to "49:214.53"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Dupre moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Kostelka
Adley	Fields	Malone
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boasso	Hainkel	Nevers
Boissiere	Heitmeier	Romero
Chaisson	Holden	Smith
Cheek	Hollis	Theunissen
Dardenne	Irons	Ullo
Duplessis	Jackson	
Dupre	Jones	
Total—34		

NAYS

Cravins
Total—1

ABSENT

Cain	Marionneaux
Lentini	Schedler
Total—4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 415— BY SENATOR MICHOT

AN ACT

To amend R.S. 33:2493(C)(1), and to repeal R.S. 33:2493(C)(2), relative to civil service; to provide with respect to fire and police civil service for municipalities between 13,000 and 250,000; to remove the requirement that any applicant admitted to a civil service test for a position above entry level be a qualified elector of the state of Louisiana; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 415 by Senator Michot

AMENDMENT NO. 1

On page 1, line 2, following "amend" and before "R. S." insert "and reenact"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Michot moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boasso	Hainkel	Nevers
Boissiere	Heitmeier	Romero
Cain	Holden	Schedler
Chaisson	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Dupre	Kostelka	
Total—37		

NAYS

Total—0

ABSENT

Cheek	Marionneaux
Total—2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 799—
BY SENATOR MOUNT

AN ACT

To enact R.S. 40:600.1(B)(6), (7), and (8), 600.2(12) and 600.6(26), relative to the Louisiana Housing Finance Agency; to provide for findings; to provide for a definition of subsidiary; to provide for authority for the agency to sponsor a statewide community housing development organization; to provide with respect to the funding of loans and financing of pools of loans; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 799 by Senator Mount

AMENDMENT NO. 1

On page 1, lines 2 and 8, following "600.2(12) and" change "600.6(26)" to "600.6(A)(26)"

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Mount sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Engrossed Senate Bill No. 799 by Senator Mount

AMENDMENT NO. 1

On page 3, line 7, after "low" and before "or" insert ", low, "

On motion of Senator Mount, the amendments were adopted.

The bill was read by title. Senator Mount moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boasso	Hainkel	Nevers
Boissiere	Heitmeier	Romero
Cain	Holden	Schedler
Chaisson	Hollis	Smith
Cravins	Irons	Theunissen

Dardenne
Duplessis
Dupre
Total—37

Jackson
Jones
Kostelka

Ullo

NAYS

Total—0

ABSENT

Cheek
Total—2

Marionneaux

The Chair declared the amended bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Senate Bills and Joint Resolutions on
Third Reading and Final Passage,
Subject to Call**

The following Senate Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Boissiere asked that Senate Bill No. 680 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 680—
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 13:5102(B), relative to suits against the state; to provide for definitions; to limit liability for entities which manage certain public transit authorities; to provide relative to the employees of such entities; and to provide for related matters.

Floor Amendments Sent Up

Senator Boissiere sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Engrossed Senate Bill No. 680 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 15, after "entity," insert "such as Transit Management of Southeast Louisiana, Inc. ("TMSSEL"),"

AMENDMENT NO. 2

On page 1, line 16, after "authority" insert "was"

AMENDMENT NO. 3

On page 1, line 16, after "created" delete "by law" and insert "as a result of Section 13(c) of the Urban Mass Transportation Act, requiring the terms of transit workers' collective bargaining agreements to be honored and"

On motion of Senator Boissiere, the amendments were adopted.

The bill was read by title. Senator Boissiere moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boasso	Hainkel	Nevers
Boissiere	Heitmeier	Romero
Cain	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Total—35		

NAYS

Fields	Holden
Total—2	

ABSENT

Chaisson	Marionneaux
Total—2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Dupre asked that Senate Bill No. 730 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 730— BY SENATOR DUPRE

AN ACT

To enact R.S. 17:3390(F), relative to private nonprofit corporations which support public higher education institutions; to provide relative to records of certain payments by such organizations to employees of postsecondary institutions or employees or officers of certain boards; to provide for the application of public records laws; and to provide for related matters.

Floor Amendments Sent Up

Senator Dupre sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dupre to Engrossed Senate Bill No. 730 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 14, delete “records of single transactions involving” and insert “any request for”

AMENDMENT NO. 2

On page 1, line 15, delete “for, to or” and insert “for any single transaction to, or,”

AMENDMENT NO. 3

On page 2, line 1, after “education” delete “institution or”

AMENDMENT NO. 4

On page 2, line 2, after “board” delete “or their designees”

AMENDMENT NO. 5

On page 2, line 3, after “All” delete “approvals and all documents” and insert “requests, approvals, and documents”

AMENDMENT NO. 6

On page 2, line 4, after “board” delete “or their designees” and after “such” insert “requests or”

AMENDMENT NO. 7

On page 2, line 5, after “approvals,” delete the remainder of the line and on line 6 delete “connection with such approvals,”

On motion of Senator Dupre, the amendments were adopted.

The bill was read by title. Senator Dupre moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Jones
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Cheek	Holden	Schedler
Cravins	Hollis	Smith
Dardenne	Irons	Theunissen
Duplessis	Jackson	Ullo
Total—36		

NAYS

Kostelka
Total—1

ABSENT

Chaisson	Marionneaux
Total—2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Smith asked that Senate Bill No. 811 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 811—

BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 36:511 and R.S. 38:2337 and to enact R.S. 38:2325(C), relative to the public contracts; to provide for the application of contract and procurement activities by certain state agencies; and to provide for related matters.

The bill was read by title. Senator Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—38		

NAYS

Total—0

ABSENT

Marionneaux

Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Jackson asked that Senate Bill No. 839 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 839—

BY SENATOR JACKSON

AN ACT

To enact R.S. 33:2740.38, and to repeal Act No. 573 of the 1975 Regular Session, Act No. 554 of the 1978 Regular Session, Act No. 411 of the 1980 Regular Session, Act No. 163 of the 1984 Regular Session, and Act No. 265 of the 2003 Regular Session, relative to the Shreveport Downtown Development District; to codify certain existing laws governing the creation and powers, duties, functions, and responsibilities of the Shreveport Downtown Development District; to provide for the composition and powers of the governing board; to provide for preparation of plans; to provide for the levy of ad valorem taxes and the issuance of bonds; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 839 by Senator Jackson

AMENDMENT NO. 1

On page 3, line 14, following "the" and before "and" change "Building, Owners," to "Building Owners"

AMENDMENT NO. 2

On page 3, line 23, following "have" and before "personal" change "his" to "their"

AMENDMENT NO. 3

On page 5, line 7, following "shall" and before "in" change "only be disposed of" to "be disposed of only"

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Jackson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jackson to Engrossed Senate Bill No. 839 by Senator Jackson

AMENDMENT NO. 1

On page 3, delete lines 14 and 15 in their entirety and insert the following: "Downtown Shreveport Development Corporation."

AMENDMENT NO. 2

On page 3, line 28, delete "." and insert "until the board membership is composed as described above. Thereafter, vacancies will be filled

by this procedure, with nominations originating from the same group that appointed the outgoing member.”

On motion of Senator Jackson, the amendments were adopted.

The bill was read by title. Senator Jackson moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Jones
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Cain	Hainkel	Nevers
Chaisson	Heitmeier	Romero
Cheek	Holden	Smith
Cravins	Hollis	Theunissen
Dardenne	Irons	Ullo
Duplessis	Jackson	
Total—35		

NAYS

Total—0

ABSENT

Boissiere	Marionneaux
Kostelka	Schedler
Total—4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Jackson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Holden asked that Senate Bill No. 828 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 828—
BY SENATOR HOLDEN**

AN ACT

To enact R.S. 28:381(48), (49), (50), and (51) and Part VII of Chapter 4 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:450 through 453, relative to the compensation of community direct service workers; to provide for a study request on the elimination of the disparity between the compensation of those workers and comparable workers; to provide for definitions, rules, and administration; and to provide for related matters.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 828 by Senator Holden

AMENDMENT NO. 1

On page 1, line 4, delete “community”

AMENDMENT NO. 2

On page 1, line 4, after “service” insert “healthcare”

AMENDMENT NO. 3

On page 1, line 15, change “Community” to “Healthcare”

AMENDMENT NO. 4

On page 1, line 15, delete “a community based” and insert “an”

AMENDMENT NO. 5

On page 1, line 16, after “serve” delete the remainder of the line and insert “frail, elderly or disabled individuals.”

AMENDMENT NO. 6

On page 2, line 1, change “Community direct service worker” to “Direct service healthcare worker”

AMENDMENT NO. 7

On page 2, line 1, change “community” to “healthcare”

AMENDMENT NO. 8

On page 2, line 2, change “developmentally” to “frail, elderly or”

AMENDMENT NO. 9

On page 2, line 5, delete “community”

AMENDMENT NO. 10

On page 2, line 5, after “service” insert “healthcare”

AMENDMENT NO. 11

On page 2, line 6, delete “developmental disabilities, associates or other”

AMENDMENT NO. 12

On page 2, line 7, change “residential centers.” to “healthcare facilities.”

AMENDMENT NO. 13

On page 2, line 10, change “community” to “healthcare”

AMENDMENT NO. 14

On page 2, line 13, change “COMMUNITY” to “HEALTHCARE”

AMENDMENT NO. 15

On page 2, line 15, change “Community service” to “Healthcare provider”

AMENDMENT NO. 16

On page 2, line 17, change “community” to “healthcare”

AMENDMENT NO. 17

On page 2, line 20, change "community" to "healthcare"

AMENDMENT NO. 18

On page 2, line 21, delete "community"

AMENDMENT NO. 19

On page 2, line 21, after "service" insert "healthcare"

AMENDMENT NO. 20

On page 2, line 24, after "and" and before "reports" insert "other"

AMENDMENT NO. 21

On page 2, line 26, after "service" insert "healthcare"

AMENDMENT NO. 22

On page 2, line 27, change "community" to "healthcare"

AMENDMENT NO. 23

On page 2, line 28, change "services" to "service"

On motion of Senator McPherson, the amendments were adopted.

The bill was read by title. Senator Holden moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Holden
Bajoie	Dupre	Irons
Boissiere	Fields	Jones
Chaisson	Gautreaux, B	McPherson
Cravins	Gautreaux, N	Nevers
Total—15		

NAYS

Adley	Hainkel	Mount
Barham	Heitmeier	Romero
Boasso	Hollis	Schedler
Cain	Kostelka	Smith
Dardenne	Lentini	Theunissen
Ellington	Malone	Ullo
Fontenot	Michot	
Total—20		

ABSENT

Amedee	Jackson
Cheek	Marionneaux
Total—4	

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

Senator Holden, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next

succeeding legislative day of the Senate, he would move to reconsider the vote by which the amended bill failed to pass.

Rules Suspended

Senator Boasso asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

May 25, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

**SENATE CONCURRENT RESOLUTION NO. 125—
BY SENATOR NEVERS**

A CONCURRENT RESOLUTION

To honor the Foster Parents of the Year 2004 in each region of the state and to express the appreciation of the legislature for their valuable contribution to strengthening family life in Louisiana.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 128—
BY SENATORS HINES AND ELLINGTON AND REPRESENTATIVE WALKER**

A CONCURRENT RESOLUTION

To commend the Tunica-Biloxi Tribe of Louisiana for its many contributions to the state, its history and culture, and its people and proclaims May 25, 2004, as "Tunica-Biloxi Day".

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 129—
BY SENATOR HAINKEL**

A CONCURRENT RESOLUTION

To commend and congratulate Judge Oliver S. Delery, Sr. on the occasion of his 80th birthday.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House**HOUSE CONFEREES APPOINTED**

May 25, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 272 by Representative Durand:

Representatives Durand, McDonald and Walker.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House**HOUSE CONFEREES APPOINTED**

May 25, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 402 by Representative Flavin:

Representatives Flavin, Martiny and Morrish.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House**HOUSE CONFEREES APPOINTED**

May 25, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1220 by Representative Thompson:

Representatives Thompson, Cazayoux and Kenney.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House**HOUSE CONFEREES APPOINTED**

May 25, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 765 by Senator Adley:

Representatives Quezaire, Tucker and Triche.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

**Introduction of Resolutions,
Senate and Concurrent**

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 96—

BY SENATOR ELLINGTON

A RESOLUTION

To commend Robert C. Nelson for receiving the W.L. Bill May Christian Businessman Award from the Louisiana Moral and Civic Foundation.

On motion of Senator Ellington, the resolution was read by title and adopted.

SENATE CONCURRENT RESOLUTION NO. 130—

BY SENATORS MALONE AND ELLINGTON AND REPRESENTATIVE KENNEY

A CONCURRENT RESOLUTION

To extend the condolences of the Louisiana Legislature, on behalf of its members and on behalf of the citizens of the state, to the family of Leon Basco, a native Louisianian and a professional, conscientious, and compassionate educator.

The resolution was read by title. Senators Malone and Ellington moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupe	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount

Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—38		

NAYS

Total—0

ABSENT

Marionneaux
Total—1

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 131—
BY SENATOR MALONE

A CONCURRENT RESOLUTION

To extend condolences of the Louisiana Legislature on behalf of its members, and on behalf of the citizens of the state, to the family of Ethel Kirkham Faith, a native Louisianian and a devoted Christian lady.

The resolution was read by title. Senator Malone moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux, B	Mount
Boasso	Gautreaux, N	Nevers
Boissiere	Hainkel	Romero
Cain	Heitmeier	Schedler
Chaisson	Holden	Smith
Cheek	Hollis	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Kostelka	
Total—37		

NAYS

Total—0

ABSENT

Irons
Total—2

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

May 25, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 362—

BY REPRESENTATIVE MARTINY

AN ACT

To enact Code of Criminal Procedure Article 345(H), relative to the surrender of defendants into custody; to provide that officers charged with defendant's detention provide surety with receipt for fees collected in connection with the surrender of the defendant; and to provide for related matters.

HOUSE BILL NO. 431—

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 17:1964(C)(2)(o)(ii)(bb) and (iii), relative to certain fees imposed by the board of directors of the Louisiana School of Math, Science, and the Arts; to remove provisions relative to a room deposit fee; to authorize a security deposit fee and limit the amount of such fee; to provide relative to the room and board fee, including limiting the amount of such fee; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 1544—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 22:5(9)(d) and to enact R.S. 22:1477, relative to professional liability trust funds; to provide for authority of the commissioner of insurance; to provide for indemnification of losses; to provide for plan of operation; to provide for contributions; to provide for a board of trustees; to provide for powers and duties; to provide for assets, liabilities, and financial standards; to provide for deposits and bonds; to provide for rulemaking; and to provide for related matters.

HOUSE BILL NO. 1668—

BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact R.S. 24:51(5), relative to the definition of lobbyist for the purpose of lobbying the legislature; to increase the amount of expenditures per calendar year in order for persons to be considered lobbyists; and to provide for related matters.

HOUSE BILL NO. 1670—

BY REPRESENTATIVE MORRISH
AN ACT

To amend and reenact R.S. 3:3414.2(C), (D), (E), and (F) and to enact R.S. 3:3414.2(G) and (H), relative to payments for rice under bid contracts; to provide for certain changes in purchaser requirements; to provide options for producers under bid contracts for rice; and to provide for related matters.

HOUSE BILL NO. 1710 (Substitute to House Bill No. 901 by Representative Baldone)—

BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 15:306(B), relative to conditions of probation; to provide with respect to proof of installation of ignition interlock devices when imposed as a condition of probation; and to provide for related matters.

HOUSE BILL NO. 1062—

BY REPRESENTATIVES SALTER, ALEXANDER, BADON, CRANE, DOWNS, FANNIN, HONEY, KENNEY, M. POWELL, T. POWELL, RITCHIE, JANE SMITH, AND TRAHAN
AN ACT

To enact R.S. 17:3351.11, to authorize the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to impose specific tuition and attendance fee amounts for students attending the Louisiana State University Health Sciences Centers; to provide for fee amounts; to provide for waivers for certain students; and to provide for related matters.

HOUSE BILL NO. 1515—

BY REPRESENTATIVE BADON
AN ACT

To amend and reenact R.S. 24:31.5(A)(1) and (4), relative to legislative assistants; to provide for the salary available to members of the legislature for the employment of legislative assistants; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

**House Bills and Joint Resolutions
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 362—

BY REPRESENTATIVE MARTINY
AN ACT

To enact Code of Criminal Procedure Article 345(H), relative to the surrender of defendants into custody; to provide that officers charged with defendant's detention provide surety with receipt for fees collected in connection with the surrender of the defendant; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 431—

BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 17:1964(C)(2)(o)(ii)(bb) and (iii), relative to certain fees imposed by the board of directors of the Louisiana School of Math, Science, and the Arts; to remove provisions relative to a room deposit fee; to authorize a security deposit fee and limit the amount of such fee; to provide relative to the room and board fee, including limiting the amount of such fee; to provide an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1062—

BY REPRESENTATIVES SALTER, ALEXANDER, BADON, CRANE, DOWNS, FANNIN, HONEY, KENNEY, M. POWELL, T. POWELL, RITCHIE, JANE SMITH, AND TRAHAN
AN ACT

To enact R.S. 17:3351.11, to authorize the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to impose specific tuition and attendance fee amounts for students attending the Louisiana State University Health Sciences Centers; to provide for fee amounts; to provide for waivers for certain students; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1515—

BY REPRESENTATIVE BADON
AN ACT

To amend and reenact R.S. 24:31.5(A)(1) and (4), relative to legislative assistants; to provide for the salary available to members of the legislature for the employment of legislative assistants; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1544—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 22:5(9)(d) and to enact R.S. 22:1477, relative to professional liability trust funds; to provide for authority of the commissioner of insurance; to provide for indemnification of losses; to provide for plan of operation; to provide for contributions; to provide for a board of trustees; to provide for powers and duties; to provide for assets, liabilities, and financial standards; to provide for deposits and bonds; to provide for rulemaking; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1668—

BY REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact R.S. 24:51(5), relative to the definition of lobbyist for the purpose of lobbying the legislature; to increase the amount of expenditures per calendar year in order for persons to be considered lobbyists; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1670—

BY REPRESENTATIVE MORRISH
AN ACT

To amend and reenact R.S. 3:3414.2(C), (D), (E), and (F) and to enact R.S. 3:3414.2(G) and (H), relative to payments for rice under bid contracts; to provide for certain changes in purchaser requirements; to provide options for producers under bid contracts for rice; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1710 (Substitute to House Bill No. 901 by Representative Baldone)—

BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 15:306(B), relative to conditions of probation; to provide with respect to proof of installation of ignition interlock devices when imposed as a condition of probation; and to provide for related matters.

The bill was read by title; lies over under the rules.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

May 25, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 216—

BY REPRESENTATIVE WALKER AND SENATOR HINES
A CONCURRENT RESOLUTION

To commend the Tunica-Biloxi Tribe of Louisiana for its many contributions to the state, its history and culture, and its people and to proclaim May 25, 2004, Tunica-Biloxi Day.

HOUSE CONCURRENT RESOLUTION NO. 217—

BY REPRESENTATIVE SALTER
A CONCURRENT RESOLUTION

To declare June 3, 2004, as Louisiana Hunger Awareness Day in the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 220—

BY REPRESENTATIVES ARNOLD AND TUCKER AND SENATOR HEITMEIER
A CONCURRENT RESOLUTION

To commend the Lord Beaconsfield Landry Senior High School Boys Track and Field Team upon winning the Class 3A State Track and Field Team Championship.

HOUSE CONCURRENT RESOLUTION NO. 222—

BY REPRESENTATIVE ALARIO
A CONCURRENT RESOLUTION

To recognize Marrero Land and Improvement Association, Limited on its one hundredth anniversary.

HOUSE CONCURRENT RESOLUTION NO. 223—

BY REPRESENTATIVE LAFLEUR AND SENATOR HINES
A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana and the state of Louisiana upon the death, in the line of duty, of Detective Charles Randy Smith of the Evangeline Parish Sheriff's Department.

HOUSE CONCURRENT RESOLUTION NO. 224—

BY REPRESENTATIVE SMILEY AND SENATOR AMEDEE
A CONCURRENT RESOLUTION

To commend the St. Amant High School baseball team for winning the 2004 Louisiana High School Athletic Association Class 5A championship and to congratulate the Gator baseball team for their outstanding performance during the season.

HOUSE CONCURRENT RESOLUTION NO. 225—

BY REPRESENTATIVE FLAVIN
A CONCURRENT RESOLUTION

To commend CITGO Lake Charles upon the occasion of its sixtieth anniversary and for its many contributions to the state and nation.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**House Concurrent Resolutions
on First Reading**

The following House Concurrent Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE CONCURRENT RESOLUTION NO. 216—

BY REPRESENTATIVE WALKER AND SENATOR HINES
A CONCURRENT RESOLUTION

To commend the Tunica-Biloxi Tribe of Louisiana for its many contributions to the state, its history and culture, and its people and to proclaim May 25, 2004, Tunica-Biloxi Day.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 217—

BY REPRESENTATIVE SALTER
A CONCURRENT RESOLUTION

To declare June 3, 2004, as Louisiana Hunger Awareness Day in the state of Louisiana.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 220—

BY REPRESENTATIVES ARNOLD AND TUCKER AND SENATOR HEITMEIER
A CONCURRENT RESOLUTION

To commend the Lord Beaconsfield Landry Senior High School Boys Track and Field Team upon winning the Class 3A State Track and Field Team Championship.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 222—
BY REPRESENTATIVE ALARIO

A CONCURRENT RESOLUTION

To recognize Marrero Land and Improvement Association, Limited on its one hundredth anniversary.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 223—
BY REPRESENTATIVE LAFLEUR AND SENATOR HINES
A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana and the state of Louisiana upon the death, in the line of duty, of Detective Charles Randy Smith of the Evangeline Parish Sheriff's Department.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 224—
BY REPRESENTATIVE SMILEY AND SENATOR AMEDEE
A CONCURRENT RESOLUTION

To commend the St. Amant High School baseball team for winning the 2004 Louisiana High School Athletic Association Class 5A championship and to congratulate the Gator baseball team for their outstanding performance during the season.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 225—
BY REPRESENTATIVE FLAVIN

A CONCURRENT RESOLUTION

To commend CITGO Lake Charles upon the occasion of its sixtieth anniversary and for its many contributions to the state and nation.

The resolution was read by title; lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

JUDICIARY A

Senator Lentini, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

May 25, 2004

To the President and Members of the Senate:

I am directed by your Committee on Judiciary A to submit the following report:

SENATE BILL NO. 257—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 9:2716, relative to contracts; to prohibit the automatic renewal of certain contracts; to provide for the terms for the continuation of such contracts; to provide for the termination of such contracts; to provide for exceptions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 764—

BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 13:4062, relative to suits against the state; to provide relative to injunctions in such suits; to provide relative to the prohibition of injunctions against the state in suits involving the expenditure of state funds when such expenditures would create a deficit; to require an affidavit to certify the potential deficits and to provide relative to traversal of such affidavit; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 833—

BY SENATOR MARIONNEAUX

AN ACT

To enact Code of Civil Procedure Art. 2124(F), relative to civil procedure; to provide relative to the appellate procedure; to require the imposition of a security bond in any appeal proceeding; to provide for the amount of such bond; to require the loss of bond if appeal is unsuccessful; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 30—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 47:2183(C), relative to tax sales of immovable property; to provide for notice to the prior owner; to provide for applicability; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 39—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact Civil Code Article 1582.1, relative to donations; to provide for witnesses; to prohibit persons from witnessing testaments; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 40—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact Code of Civil Procedure Article 971(A)(3) and (B), relative to the special motion to strike; to provide for admissibility of the court's determination in evidence; to provide for attorney fees and costs; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 77—

BY REPRESENTATIVE HUTTER
AN ACT

To amend and reenact R.S. 15:255(A)(1) and (D)(1) and to enact R.S. 15:255(A)(4), relative to fees paid to off-duty law enforcement officers who are witnesses in criminal cases; to require the witness fees to only be paid from the specified fund; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 103—

BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 13:782(A)(1)(introductory paragraph) and (e) and to enact R.S. 13:782(A)(1)(f), relative to annual compensation of clerks of court; to provide for alternative population data for establishing the maximum compensation rate; to provide the maximum compensation rates in certain parishes; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 335—

BY REPRESENTATIVE JOHNS
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(F) and (H), relative to the jurisdiction of city courts; to increase the jurisdictional amount in dispute in the City Court of Sulphur; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 363—

BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact R.S. 35:191(C)(2)(b) and 191.1(B)(3) and to repeal R.S. 35:191.1(A)(4) and (C), relative to notary examinations; to provide for the administration of notary examinations by the secretary of state; to provide for dates for administration; to provide for procedures for administration; to provide relative to the qualifications for taking the notary examination; to provide relative to the scheduling and administration of notary examinations; to repeal certain standards to be developed by the secretary of state; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 370—

BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact R.S. 35:202, relative to non-attorney notaries; to provide relative to the timely filing of the annual report and payment of fees; to provide for the enforcement of untimely filing; to provide for the failure to file; to provide for notice; to provide for the suspension of the notarial commission; to provide for special commission status; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 391—

BY REPRESENTATIVES MURRAY AND MARCHAND
AN ACT

To amend and reenact R.S. 9:4821(1) and R.S. 13:2575(B)(2)(f), (C), and (F) and 2576 and to enact R.S. 13:4367, relative to the administrative adjudication of public health, housing, and environmental violations; to provide for applicability of certain provisions to municipalities with a population greater than four hundred fifty thousand; to provide relative to administrative hearings; to provide for waiver of collection or enforcement of liens; to provide for release given to subsequent purchasers; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 532—

BY REPRESENTATIVES JOHNS, BOWLER, AND WALKER
AN ACT

To amend and reenact R.S. 9:315.16, relative to child support; to provide for the review of the child support guidelines; to provide for the membership of the committee; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 677—

BY REPRESENTATIVE JOHNS
AN ACT

To amend and reenact R.S. 13:3049(B)(2)(a) and (e) and Code of Civil Procedure Article 1734.1(A), relative to civil jury trials; to provide for the expenses related to jury trials; to provide for the payment of jurors; to provide for the cash deposit; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 762—

BY REPRESENTATIVES WINSTON AND DURAND
AN ACT

To amend and reenact Children's Code Article 685(B), relative to children in need of care; to provide for compliance with federal provisions in cost of care and treatment matters; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 791—

BY REPRESENTATIVE JOHNS
AN ACT

To amend and reenact Code of Civil Procedure Article 893(A)(1), relative to pleadings; to provide for the pleading of damages; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 971—

BY REPRESENTATIVE BRUCE
AN ACT

To enact R.S. 13:756.12, relative to establishing a branch office of the clerk of court in DeSoto Parish; to authorize the clerk of court of the parish of DeSoto to establish a branch office in Stonewall; to provide for duties and functions of the branch office; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1430—

BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 37:1483 and to enact R.S. 9:5608, relative to home inspectors; to provide a prescriptive period for actions against home inspectors; to provide for applicability of provisions; to provide for exceptions; to exempt certain persons from licensure requirements under the Louisiana Home Inspector Licensing Law; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1431—

BY REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact R.S. 37:2551(D), relative to the Board of Examiners of Certified Shorthand Court Reporters; to provide for the payment of per diem to board members; to restrict the number of per diem payments for special meetings; and to provide for related matters.

Reported favorably.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

Motion to Recommit

Senator Holden asked for and obtained a suspension of the rules and recommitted House Bill No. 1065 from the Committee on Senate and Governmental Affairs to the Committee on Health and Welfare.

**Privilege Report of the Committee on
Senate and Governmental Affairs****ENROLLMENTS**

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 25, 2004

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Bills have been properly enrolled:

SENATE BILL NO. 42—

BY SENATORS NEVERS AND SCHEDLER AND REPRESENTATIVE STRAIN

AN ACT

To enact Part XIV-A of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:557.21, relative to agricultural products; to require state agencies to assist the Department of Agriculture and Forestry in the development, registration, and licensing of any trademark or label for use in promoting Louisiana agricultural products; to authorize the Department of Agriculture and Forestry to sell licenses for such

trademarks or labels; to create the Agricultural Product Support Fund; to provide for the deposit of monies into the fund and for the use of such monies; to require the promulgation of rules and regulations; and to provide for related matters.

SENATE BILL NO. 67—

BY SENATOR MCPHERSON AND REPRESENTATIVE FARRAR
AN ACT

To enact Part III-H of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 19:138 through 138.7, relative to expropriation by municipal corporations; to authorize the city of Pineville to expropriate certain properties for the Susek Drive Project; and to provide for related matters.

SENATE BILL NO. 143—

BY SENATORS DUPRE AND DUPLESSIS AND REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 9:5212 and R.S. 35:12(D) and 392.1, relative to ex officio notaries; to provide relative to the authority of ex officio notaries; to provide for the rejection of certain documents; to provide for actions exceeding the authority granted; and to provide for related matters.

SENATE BILL NO. 148—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 3:3654(E)(4) and (6), as amended by Act No. 1232 of the 2003 Regular Session, and to enact R.S. 3:3656(A)(3), relative to security devices affecting farm products; to provide relative to financing statements for farm products; to provide relative to certain requirements for the amendment and expiration of such statements; and to provide for related matters.

SENATE BILL NO. 239—

BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 6:969.17, R.S. 9:3529, and R.S. 47:1604.2, relative to certain credit transactions; to provide for the collection of certain fees and charges due to insufficient funds when payment is made by electronic means; and to provide for related matters.

SENATE BILL NO. 248—

BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 8:606, relative to interment; to require submission of certain information to the Louisiana Cemetery Board; to provide for the initiation of construction of mausoleums or similar structures within a specified period pursuant to plans and contracts; to provide for timely delivery of acceptable interment space; to provide for imposition of penalties for failure to comply; and to provide for related matters.

SENATE BILL NO. 372—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 6:969.6(8), relative to the Louisiana Motor Vehicle Finance Act; to provide for the definition of a consumer loan; and to provide for related matters.

SENATE BILL NO. 464—
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2018(C) and to enact R.S. 30:2017(B)(3), relative to the public hearings conducted by the Department of Environmental Quality; to provide for the location of the public hearing; to authorize public officials to speak at such public hearings; and to provide for related matters.

SENATE BILL NO. 628 (Duplicate of House Bill No. 875)—
BY SENATORS BAJOE AND REPRESENTATIVE WINSTON AND
COAUTHORED BY SENATOR HOLDEN

AN ACT

To amend and reenact Ch.C. Art. 611(A), relative to child abuse reporting and investigation; to limit liability against persons who report child abuse under certain circumstances; and to provide for related matters.

SENATE BILL NO. 725—
BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 37:1782 and 1787(A)(4) and (D) and to enact R.S. 37:1787(F), relative to pawnbrokers; to provide for definitions; to provide for license eligibility; to provide for license revocation; and to provide for related matters.

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

Leaves of Absence

The following leaves of absence were asked for and granted:

Marionneaux 1 Day

Adjournment

Senator Bajoie moved that the Senate adjourn until Wednesday, May 26, 2004, at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Wednesday, May 26, 2004.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk